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**THE JOURNAL**

OF THE PROCEEDINGS OF

**THE PROVINCIAL CONGRESS**

OF

**NORTH CAROLINA,**

HELD AT

HALIFAX, ON THE FOURTH DAY OF APRIL, 1776.

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PUBLISHED BY AUTHORITY.

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THE CAROLINA

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# PROCEEDINGS

## OF THE PROVINCIAL CONGRESS AT HALIFAX.

### NORTH CAROLINA.

At a Congress begun and held at the town of HALIFAX, in the county of Halifax, the 4th day of April, in the year of our Lord 1776.

It being certified that the following persons were duly elected and returned for the respective counties and towns, to wit:

For *Anson* county, Daniel Love, Samuel Spencer, John Crawford, James Picket, and John Childs. *Beaufort*, Roger Ormond, Thomas Respis, jun. and John Cowper. *Bladen*, Nathaniel Richardson, Thomas Robeson, Maturan Colvill, James Council, and Thomas Amis. *Bertie*, John Campbell, John Johnston, and Charles Jaycocks. *Brunswick*,

*Bute*, Green Hill, William Alston, William Person, Thomas Sherrod, and Philemon Hawkins. *Craven*, James Coor, Lemuel Hatch, John Bryan, William Bryan, and Jacob Blount. *Carteret*, William Thompson, Solomon Shepard, and John Backhouse. *Currituck*, Samuel Jarvis, James White, James Ryan, Gideon Lamb, and Solomon Perkins. *Chowan*, Samuel Johnston, Thomas Benbury, Thomas Jones, John Bap. Beasley, and Thomas Hunter. *Cumberland*, David Smith, Alexander McAlister, Farquard Campbell, Thomas Rutherford, and Alexander McCoy. *Chatham*, Ambrose Ramsay, John Thompson, Joshua Rosser, Jeduthan Harper, and Elisha Cain. *Duplin*, Thomas Gray, and William Dickson. *Dobbs*, Richard Caswell, Abraham Shepherd, George Miller, Simon Bright, and William McKinnie. *Edgecomb*, William Haywood, Duncan Lemon, Elisha Battle, Henry, Irwin, and Nathan Boddie. *Granville*, Thomas Person, John Penn, Memucan Hunt, John Taylor, and Charles Eaton. *Guilford*, Ransome Southerland, William Dent, and Ralph Gorrill. *Hyde*, Rotheas Latham, Joseph Hancock, John Jordan, and Benjamin Parmely. *Hertford*, Robert Sumner,

*Halifax*, John Bradford, James Hogan, David Sumner, Joseph John Williams, and Willis Alston. *Johnston*, Samuel Smith, jun. Needham Bryan, jun. and Henry Rains. *Mecklenburg*, John Pfifer, Robert Irwin, and John McNitt Alexander. *Martin*, William Williams, Whitmell Hill, Kenneth McKenzie, Thomas Wiggins, and Edward Smythwick. *New Hanover*, John Ashe, John Devane, Samuel Ashe, Sampson Mosely, and John Hollingsworth. *Northampton*, Allen Jones, Jephtha Atherton, Drury Gee, Samuel Lockhart, and Howell Edmunds. *Onslow*, George Mitchell, Benajah Doty, John Spicer, John King, and John Norman. *Orange*, John Kinchen, James Saunders, John Butler, Nathaniel Rochester, and Thomas Burke. *Perquimons*, Miles Harvey, William Skinner, Thomas Harvey, Charles Blount, and Charles Moore. *Pasquotank*, Thomas Boyd, Joseph Jones, William Cuming, Dempsey Burgess, and Henry Abbott. *Pitt*, John Simpson, Edward Salter, and William Robson. *Rowan*, Griffith Rutherford, and Matthew Locke. *Surry*, Archibald Corrie. *Tryon*, Wake, Joel Lane, John Hinton, John Rand, William Hooper, and Tignal Jones. *Town of Bath*, William Brown. *Edenton*, Joseph Hewes, *Newbern*, Abner Nash. *Wilmington*, Cornelius Harnett. *Brunswick*,



*Halifax*, Willie Jones. *Hillsborough*, William Johnston. *Salisbury*, David Nisbet. *Campbleton*, Arthur Council.

Pursuant to which the following persons appeared, subscribed the Test, and took their seats in Congress.

Mess. Samuel Johnston, William Haywood, Elisha Battle, Henry Irwin, Edward Salter, William Robson, John Bradford, James Hogan, David Sumner, Joseph John Williams, Willis Alston, Allen Jones, Drury Gee, John Hinton, John Rand, Thomas Respis, jun. John Cowper, William Brown, George Mitchell, John King, John Norman, John Spicer, Joseph Hancock, John Jordan, Solomon Shepherd, William Thompson, Thomas Person, Memucan Hunt, John Taylor, Miles Harvey, William Skinner, Samuel Jarvis, James White, James Ryan, Solomon Perkins, Thomas Benbury, Thomas Jones, John Thompson, John Devane, James Coor, John Bryan, Jacob Blount, Thomas Gray, Matthew Locke, Griffith Rutherford, John Pfifer, Robert Irwin, John McNitt Alexander, William Person, Green Hill, Thomas Boyd, William Williams, James Council, Philemon Hawkins, William Alston, John Campbell, Nathaniel Richardson and Arthur Council.

Mr. Allen Jones proposed for President Samuel Johnston, Esq. who was unanimously chosen, and conducted to the Chair, and James Green, jun. was appointed Secretary, Francis Lynaugh and Evan Swann Doorkeepers, during the continuance of the Congress.

Mr. Bradford presented a petition from the inhabitants of the town of Halifax, setting forth that Willie Jones, Esq. who was elected a delegate for said town, is appointed by the Continental Congress Superintendent of Indian Affairs for the Southern Department, in consequence of which appointment he had gone to Fort Charlotte, in Georgia, whereby the said town was unrepresented, praying leave to elect a delegate to sit and vote in Congress in the absence of the said Willie Jones, Esq. *Resolved*, That the freeholders of the said town of Halifax meet on the 5th day of this instant, and elect a proper person to sit and vote in Congress until the return of the said Willie Jones, Esq.

The Congress adjourned till to-morrow morning, ten o'clock.



FRIDAY, APRIL 5, 1776.

The Congress met according to adjournment.

*Resolved*, That Col. Nicholas Long take into his possession the powder and other stores lately arrived from Philadelphia, and safely keep the same until further orders.

The returning officer for the town of Halifax having certified that Mr. John Webb was duly elected a delegate for the said town until the return of Willie Jones, Esq. Mr. Webb appeared, subscribed the Test, and took his seat in Congress.

On motion, *Resolved*, That Mr. Allen Jones, Mr. Cornelius Harnett, Mr. James Coor, Mr. Thomas Person, Mr. Thomas Benbury, Mr. Thomas Respis, Mr. Samuel Jarvis, Mr. Green Hill, Mr. Arthur Council, Mr. Matthew Locke, Mr. Griffith Rutherford, and Mr. John Hinton, be a committee to enquire into, and make report to this Congress, of the quantity of ammunition now remaining in the Province.

On petition of William Alston, setting forth that a certain John Hender-



son is now about to remove himself out of this Province, to the great prejudice of the orphans of Solomon Alston, deceased, the same being certified on oath, *Resolved*, That such of the estate of Solomon Alston, late of Granville county, deceased, being the property of his orphans now in the possession of John Henderson, or any other persons, be immediately taken into possession for their use; and that the said John Henderson be brought forthwith to this Congress, there to answer any deficiency that may appear, and reimburse the said orphans; and that James Jones, of Wake county, be appointed to execute this resolution in any part of the Province, and that he take with him such assistance as he shall think necessary.

*Resolved*, That General McDonald be admitted to his parole upon the following conditions: That he does not go without the limits of the town of Halifax. That he does not, directly or indirectly, while a prisoner, correspond with any person or persons who are or may be in opposition to American measures, or by any manner or means convey to them intelligence of any sort. That he take no draft, nor procure them to be taken by any one else, of any place or places in which he may be, while upon his parole, that shall now, or may hereafter give information to our enemies which can be injurious to us, or the common cause of America; but that without equivocation, mental evasion, or secret reservation, he pay the most exact and faithful attention to the intent and meaning of these conditions, according to the rules and regulations of war; and that he every day appear between the hours of ten and twelve o'clock to the officer of the Guard.

The Congress adjourned 'till to-morrow morning, nine o'clock.

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SATURDAY, APRIL 6, 1776.

The Congress met according to adjournment.

Mr. President laid before the Congress letters from the delegates of this Province in Congress at Philadelphia, of the 12th of February and 1st of March last, enclosing sundry resolutions of the Continental Congress, which were read.

*Ordered*, That the same lie over for consideration till Monday next.

Mr. President laid before the Congress a letter from Col. James Moore, of the first regiment, inclosing a general field return of officers and soldiers in camp, and also a return of the Tories' property in his possession.

*Ordered*, That the same lie for consideration.

On motion, Mr. James Glasgow was appointed assistant Secretary to this Congress.

*Resolved*, That Mr. David Love, John Cooper, James Council, John Johnston, William Person, James Coor, Solomon Shepherd, Solomon Perkins, Thomas Benbury, David Smith, John Thompson, Thomas Gray, Eliza Battle, Memucan Hunt, Joseph Hancock, Robert Sumner, Willis Alston, Whitmill Hill, Robert Irwin, John Hollingsworth, Jephtha Atherton, John Norman, Thomas Burke, William Skinner, Thomas Boyd, Edward Salter, Griffith Rutherford, Archibald Corrie, John Rand, William Brown, Cornelius Harnett, John Webb and David Nisbet be a committee of Privileges and Elections; and that they have power to send for persons, papers and records, as the case may require, and make report to this Congress.

*Resolved*, That Matthew Locke, Robert Irwin, John McNitt Alexander, Thomas Person, Thomas Burke, John Taylor, John Ashe, Thomas Gray,



George Mitchell, John Cowper, William Brown, James Coor, William Haywood, John Bradford, Green Hill, Whitmill Hill, Miles Harvey, William Skinner and John Campbell be a committee of Claims, to settle and allow military and naval accounts.

*Resolved*, That Mr. Allen Jones, Joseph John Williams, David Summer, Jacob Blount, Thomas Respiess, William Thompson, Thomas Benbury, Archibald Corrie, Robert Sumner, Cornelius Harnett, John Spicer, Nathaniel Richardson, Memucan Hunt, Nathaniel Rochester, John Rand, Griffith Rutherford, John Pfifer, David Nisbet and John Ashe be a committee to settle the civil accounts of this Province.

The Congress adjourned till Monday morning, ten o'clock.

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MONDAY, APRIL 8, 1776.

The Congress met according to adjournment.

On motion, *Resolved*, That Mr. Harnett, Mr. Allen Jones, Mr. Burke, Mr. Nash, Mr. Kinchin, Mr. Thomas Person and Mr. Thomas Jones be a select committee to take into consideration the usurpations and violences attempted and committed by the King and Parliament of Britain against America, and the further measures to be taken for frustrating the same, and for the better defence of this Province.

Mr. Harnett presented the petition of Joseph Wood and partners, praying an order to dispose of the effects of his Excellency Josiah Martin, Esq. within this Province, to reimburse the loss they have sustained by the capture and detention of the sloop Joseph, and the cargo on board of the same, or such other relief as this Congress in their wisdom shall think fit.

*Resolved*, That Mr. Harnett, Mr. Allen Jones, Mr. Burke, Mr. Thomas Person and Mr. Thomas Jones be a committee to take under consideration the said petition, and make report to this Congress.

*Resolved*, That Mr. Allen Jones, Mr. Whitmill Hill, Mr. John Ashe, Mr. Burke, Mr. Miles Harvey, Mr. Thomas Person, Mr. Benbury, Mr. Rand, Mr. Rochester, Thomas Jones, Mr. Rutherford, Mr. Southerland, Mr. Richardson, Mr. Harnett and Mr. Arthur Council be a committee to enquire into the conduct of the insurgents and other suspected persons, and make report of their proceedings to the Congress.

The order of the day being read, *Resolved*, The same be deferred till Wednesday next.

Mr. Thomas Jones presented a petition from the executors of the last will and testament of John Callaway, deceased, praying an order may issue to empower them to seize so much of the estate of Thomas Macknight, and cause the same to be sold, as may be of value sufficient to satisfy the sum of 586l. 2s. with interest and accruing costs. *Resolved*, That Mess. Harnett, Allen Jones, Thomas Burke, Thomas Person and Thomas Jones be a committee to take under consideration the said petition, and make report to this Congress.

Mr. William Johnston, the delegate for the town of Hillsborough, Mr. James Saunders and Mr. John Kinchen, for the county of Orange, Mr. Thomas Wiggins, for the county of Martin, Mr. Ransome Southerland, Mr. William Dent and Mr. Ralph Gorril, for the county of Guilford, Mr. Dempsey Burgess and Mr. Henry Abbot, for the county of Pasquotank, Mr. Elisha Cain, for the county of Chatham, Mr. Tignal Jones, for the



county of Wake, and Mr. Abner Nash, for the town of Newbern, appeared, subscribed the test, and took their seats in Congress.

On motion, *Resolved*, That the Rev. Mr. Ford be appointed Chaplain to this Congress.

The Congress adjourned till to-morrow morning, nine o'clock.



TUESDAY, APRIL 9, 1776.

The Congress met according to adjournment.

*Resolved*, That Mr. Corrie, Mr. John Campbell, Mr. Cowper, Mr. William Johnston and Mr. Cornelius Harnett be a committee to enquire into the cost of sundry merchandize deemed useful to the service of this Province, as per invoice exhibited by Mr. John Wright Stanly, and that they report thereon.

On motion, *Resolved*, The Congress resolve itself into a committee of the whole, to take into consideration the present state of the Province, and the expediency of employing a military force for its defence against foreign and domestic invaders. The Congress resolved itself into a committee of the whole accordingly, and chose John Campbell, Esq. Chairman; and after some time spent therein, came to several resolutions. Then, on motion, Mr. President resumed the Chair, and Mr. Chairman reported as follows, to wit:

*Resolved*, That two battalions, over and above the battalion directed to be raised by the Continental Congress, be raised in this Province, to consist of 750 privates each.

*Resolved*, That it be recommended that three companies of Light Horse, consisting of one Captain, one Lieutenant, one Cornet, and 33 privates each, be raised by this Province, and that it be recommended to the House to apply through their Delegates to the Continental Congress to place the same on Continental establishment.

*Resolved*, That it be recommended to Congress that a bounty of 40s. and 3l. advance be paid to every person enlisted into the service.

*Resolved*, That it be recommended that a penalty of 5l. be inflicted on any person who shall knowingly secrete, harbour, succour or entertain, for the space of 24 hours, any deserter from the service, after having been duly enlisted; to be recovered before any jurisdiction having cognizance thereof, one half to the informer, the other half to the public.

The House taking the said report into consideration, and having read the same paragraph by paragraph, concurred therewith.

Mr. Gideon Lamb, one of the members of Congress for the county of Currituck, Mr. Kenneth McKenzie, for Martin county, and Mr. Matthias Brickle, for Hertford county, appeared and took their seats.

*Resolved*, That Mr. Abner Nash, Mr. Thomas Burke and Mr. Cornelius Harnett be a committee to form a proper commission for privateers.

*Resolved*, That Mr. John Ashe, Mr. Thomas Jones, Mr. Dempsey Burgess, Mr. Cornelius Harnett, Mr. Abner Nash, Mr. Samuel Jarvis, Mr. John Johnston, Mr. Thomas Burke, Mr. John Kinchen, Mr. Jacob Blount and Mr. Allen Jones be a committee of Ways and Means, to form an estimate of the expense for supporting the troops to be raised for one year.

*Resolved*, That Mess. John Ashe, Allen Jones, James Coor, William Alston, Memucan Hunt, Matthew Locke, John Webb, John Pfifer, John



Spicer, Mr. Ryan, Mr. Griffith Rutherford, Mr. John Campbell and Mr. John Bradford be a committee for the better regulation of the militia.

*Resolved*, That Mr. President, Mr. Locke, Mr. Webb, Mr. Thomas Jones, Mr. Nash, Mr. John Ashe and Mr. Burke be a committee of Secrecy, Intelligence and Observation.

Mr. Rutherford, Chairman from the committee of Privileges and Elections, reported as follows, viz:

Your committee having taken into consideration the election of those Delegates who were appointed to the Minute command, are of opinion, that holding commissions in that service did not incapacitate or disqualify them from being elected to represent in Congress any town or county in this Province, and that persons elected under such circumstances, who were otherwise duly qualified, are entitled, and should be permitted to sit and vote in Congress, when that service is expired.

The Congress taking the said report into consideration, was rejected.

The Congress adjourned till to-morrow morning, nine o'clock.

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WEDNESDAY, APRIL 10, 1776:

The Congress met according to adjournment.

Mr. Duncan Lemon, a member of Congress for the county of Edgecomb, and Mr. Thomas Sherrod, a member of Congress for the county of Bute, appeared and took their seats.

On motion, *Ordered*, That Mr. John Johnston have leave to absent himself a few days from the service of the Congress.

The returning officer having brought before the Congress the person of John Henderson, at the instance of William Alston, *Resolved*, That Mess. Thomas Person, Memucan Hunt, Howell Edmunds, Matthias Brickell, Thomas Respiss, Drury Gee and William Williams, be a committee to take into consideration the petition of the said William Alston, in behalf of Solomon Alston's orphans, and make report thereon.

*Resolved*, That the sum of 10s. be allowed to each Captain, Lieutenant, or Ensign, for every man which they shall enlist and enroll as a soldier in the service (including those already enlisted) as a full compensation for their expenses in recruiting their men.

*Resolved*, That the freeholders of Northampton county meet at the Court House of said county on Friday the 22d of this instant (April) then and there to elect one delegate to sit and vote in Congress, in the room and stead of Mr. Samuel Lockhart, whose seat was vacated by his having acted as a Captain in the Minute Service.

*Resolved*, That the freeholders of the county of Bertie meet at the Court House in said county on Monday the 15th of this instant (April) then and there to elect one delegate to sit and vote in Congress, in the room and stead of Mr. Charles Jaycocks, whose seat was vacated by his having acted as an officer in the Minute Service.

*Resolved*, That the freeholders of the county of Dobbs meet at the Court House in said county on Monday the 15th of this instant (April) then and there to elect three delegates to sit and vote in Congress, in the room and stead of Mr. Richard Caswell, Mr. Simon Bright, and Mr. George Miller, whose seats were vacated by their appointment as officers in the Continent-



al and Minute Service; and that Mr. Benjamin Shepherd be appointed to take the poll, and make due return of the persons so elected.

The Congress being informed that a certain brigantine, called the William, now lying in Port Beaufort, whereof Philip Westcott is at present Master, belonging to William Strobroom, Francis Burchitt and Philip Westcott, of London, and it appearing by the Register of the said vessel that she is British property; *Resolved*, That Richard Cogdell, James Davis and John Green cause the said brigantine or vessel to be immediately seized and detained, together with her tackle, apparel and furniture, until further orders.

The Continental Congress having appointed Col. James Moore, of the first Regiment, and Col. Robert Howe, of the second Regiment, to the command of Brigadier Generals, *Resolved*, That Lieutenant Colonel Francis Nash be appointed Colonel, Major Thomas Clark Lieutenant Colonel; and Capt. William Davis Major, of the first Regiment; Lieutenant Colonel Alexander Martin Colonel, Major John Patten Lieutenant Colonel; and Capt. John White Major, of the second Regiment.

The Congress adjourned till to-morrow morning, nine o'clock.

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THURSDAY, APRIL 11, 1776.

The Congress met according to adjournment.

Mr. Allen Jones, Chairman, from the committee to enquire into the conduct of the insurgents, and other suspected persons, reported, amongst other things, that on consideration of the candor of Allen McDonald, and his being in a low state of health, recommend him to be admitted his parole of honour, under such restrictions as has been held forth to General McDonald.

The Congress taking the same into consideration, *Resolved*, That Col. Allen McDonald be admitted to his parole on the following conditions: That he does not go without the limits of the town of Halifax. That he does not, directly or indirectly, while a prisoner, correspond with any person or persons who are or may be in opposition to American measures, or by any manner or means convey to them intelligence of any sort. That he take no draft, nor procure them to be taken by any one else, of any place or places in which he may be while upon his parole, that shall now, or may hereafter give information to our enemies, which can be injurious to us, or the common cause of America; but that without equivocation, mental evasion, or secret reservation, he pay the most exact and faithful attention to the intent and meaning of these conditions, according to the rules and regulations of war; and that he every day appear, between the hours of ten and twelve o'clock, to the officer of the Guard.

Mr. Thomas Harvey, one of the members for Perquimons county, and Mr. William Dickson, one of the members for Duplin county, appeared, subscribed the Test, and took their seats in Congress.

On motion, *Ordered*, That the nomination and appointment of military officers to the regiments directly to be raised in this Province, be considered to-morrow.

*Resolved*, That Mess. John Campbell, William Thompson, James Coor, Matthew Locke, Thomas Person, John Spicer and Solomon Shepherd be a



committee to take into consideration a letter from the committee of Carteret county.

The Congress adjourned till to-morrow morning, nine o'clock.

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FRIDAY, APRIL 12, 1776.

The Congress met according to adjournment.

The committee to enquire into the cost of sundry merchandizes deemed useful to the service of this Province, as per invoice exhibited by Mr. John Wright Stanly, and to agree with him for the same, reported as follows, viz.

Your committee have examined the invoices of sundry goods imported by John Wright Stanly, the cost of which appears to amount to the sum of 3162 pieces of eight (pieces 8s8) and two rials, charged at St. Eustatia, on which an advance of 75 per cent. for risk and charges appear reasonable, as they were bought in barter; also sundry other goods, by invoice produced, amounting to 3934 pieces of eight (pieces 8s8) four rials, and four stivers, bought with ready money, on which an advance of 87 and a half per cent. for risk and charges, and 20 per cent. for the risk, trouble and commission, Mr. Stanly had in the adventure.

Your committee are further of opinion the 500 lbs. of gunpowder offered by Mr. Stanly at 8s. per pound, is at this time a reasonable price; which several sums amount in the whole to 4848l. 1s. 1d. three farthings, Proclamation money, which your committee are of opinion may be allowed and paid to Mr. Stanly for the said goods, on account and for the use of the public, on delivery of said goods at Newbern in good order, to such person or persons as the Congress shall appoint to receive them. Humbly submitted to the House.

The Congress taking the same into consideration, and the said report being read, concurred therewith.

The Congress having agreed with Mr. John Wright Stanly, on account of the public, for sundry goods and merchandizes, as per invoice exhibited, *Resolved*, That the Treasurers, or either of them, pay to John Wright Stanly the sum of 4848l. 1s. 1d. three farthings, Proclamation money, for sundry goods and merchandizes purchased of him on account and for the use of this Province, he first producing a receipt from John Green and David Barron that all and every article contained in said invoice are *bona fide* and actually delivered into their possession, in good and merchantable order, and that the Treasurers be allowed in their accounts with the public.

On motion, *Resolved*, That Mr. John Green and Mr. David Barron, of Newbern, be requested to receive, and take into their possession, from Mr. John Wright Stanly, sundry goods and merchandizes, as per invoice exhibited, amounting to 4848l. 1s. 1d. three farthings, at the risk and on account of the public, till further orders.

Mr. Harnett, Chairman from the committee to take into consideration the petition of Joseph Wood and co-partners, praying an order to dispose of the effects of his Excellency Josiah Martin, Esq. &c. reported as follows, to wit:

Your committee having enquired into the several allegations set forth in the said petition, do report as follows: That the said Joseph Wood and



partners, with permission of the committee of the City and Liberties of Philadelphia, did on the 5th day of January last past, load on board the sloop Joseph, William Raddon master, sundry goods and merchandize, on their own account, to the value of 670l. 3s. 7d. on the account of William Todd, 190l. of Joseph Wood, jun. 10l. of William Raddon, 9l. 18s. prime cost in Philadelphia, all which were consigned to the said Joseph Wood, jun. and bound to Georgia; that in his passage the said sloop and cargo were taken by an armed vessel called the General Gage, George Sybels master, and carried into Cape Fear, where Josiah Martin, Esq. late Governor of this Province, bore the chief command; and the officers under command of the said Josiah Martin did violently seize the said sloop and cargo, and apply them to the use of the enemies of America, whereby the said Joseph and partners lost 1500l. current money of Pennsylvania, over and above the profits they might reasonably have made.

The House taking the same into consideration, concurred therewith.

*Resolved*, That the inlisting of the Continental or Provincial regular soldiers into the service of any armed vessel or privateer, is highly improper, and greatly injurious to the service; and that all those who have presumed to enlist any soldiers, knowing they belong to such service, have acted in a manner contrary to the interest of this Colony, and have been guilty of a breach of the Continental Rules and Regulations, and are hereby ordered to return the soldiers so enlisted to the several corps to which they belong; and that if the officer or officers belonging to such armed vessels or privateers do not immediately restore the soldiers so enlisted by them to the officer or officers of their respective corps, that then, and in that case, they will be considered as unworthy of any command under this Congress, and deemed enemies to American liberty. Provided, that nothing herein contained shall be construed to extend to such soldiers as had served six months from the time of their enlistment.

The select committee to take into consideration the usurpations and violences attempted and committed by the King and Parliament of Britain against America, and the further measures to be taken for frustrating the same, and for the better defence of this Province, reported as follows, to wit:

It appears to your committee, that pursuant to the plan concerted by the British Ministry for subjugating America, the King and Parliament of Great Britain have usurped a power over the persons and properties of the people unlimited and uncontrouled; and disregarding their humble petitions for peace, liberty and safety, have made divers legislative acts, denouncing war, famine, and every species of calamity, against the Continent in general. The British fleets and armies have been, and still are daily employed in destroying the people, and committing the most horrid devastations on the country. That Governors in different Colonies have declared protection to slaves, who should imbrue their hands in the blood of their masters. That the ships belonging to America are declared prizes of war, and many of them have been violently seized and confiscated. In consequence of all which multitudes of the people have been destroyed, or from easy circumstances reduced to the most lamentable distress.

And whereas the moderation hitherto manifested by the United Colonies; and their sincere desire to be reconciled to the mother country on constitu-



tional principles, have procured no mitigation of the aforesaid wrongs and usurpations, and no hopes remain of obtaining redress by those means alone which have been hitherto tried, your committee are of opinion that the House should enter into the following resolve, to wit:

*Resolved*, That the delegates for this Colony in the Continental Congress be impowered to concur with the delegates of the other Colonies in declaring Independency, and forming foreign alliances, reserving to this Colony the sole and exclusive right of forming a Constitution and laws for this Colony, and of appointing delegates from time to time, (under the direction of a general representation thereof,) to meet the delegates of the other Colonies, for such purposes as shall be hereafter pointed out.

The Congress taking the same into consideration, unanimously concurred therewith.

The order of the day being read for taking into consideration the nomination and appointment of military officers, *Ordered*, That the same be deferred till to-morrow.

Mr. Needham Bryan, one of the members of Johnston county, Mr. Joseph Williams, Mr. Joseph Winston and Mr. Charles Gordon, three of the members of Surry county, appeared and took their seats.

The Congress adjourned 'till to-morrow morning, nine o'clock.



SATURDAY, APRIL 13, 1776.

The Congress met according to adjournment.

*Ordered*, That Col. John Hogan, of the regiment of militia for the county of Orange, have leave to resign his command.

*Resolved*, That if any commissioner or commissioners appointed by the King, according to act of Parliament, to come over from Great Britain to America, shall arrive in this Province, under any pretext whatever, unless such commissioner or commissioners shall produce a commission to treat with the Continental Congress, that the person or persons of such commissioner or commissioners shall be required to return immediately on board the vessel in which he or they arrive; and in case of refusal, or if such commissioner or commissioners shall at any time after be found on shore within this Province, the person or persons of such commissioners be seized, and immediately sent to the said Congress.

*Resolved*, That the thanks of this Congress be given to Col. Richard Caswell, and the brave officers and soldiers under his command, for the very essential service by them rendered this country at the battle of Moore's Creek.

On motion, *Resolved*, The Congress resolve itself into a committee of the whole, to take under consideration the augmentation of the troops already voted to be raised by this Province.

The Congress resolved itself into a committee of the whole accordingly, and chose John Campbell, Esq. Chairman; and after some time spent therein, came to a resolution thereon. Then, on motion, Mr. President resumed the Chair, and Mr. Chairman reported as follows, to wit:

*Resolved*, That the troops voted by the Congress, as necessary to the defence of this Province, shall be divided into six battalions (including the two battalions voted by the last Congress) each battalion to be commanded by one Colonel, one Lieutenant Colonel, and one Major; and to con-



sist of eight companies, each company to consist of one Captain, two Lieutenants, one Ensign, four Serjeants, four Corporals, two Drummers, one Fifer, and 76 rank and file; also one Quarter Master, one Commissary of Stores, one Surgeon, one Adjutant, one Quarter Master Serjeant, one Drum Major, one Serjeant Major, and one Waggon Master for each battalion.

The Congress taking the same into consideration, concurred therewith.

The committee appointed to take into consideration the petition of William Alston, referred by the Congress, reported as follows, to wit:

Your committee having enquired into the several allegations set forth in the said petition, together with the defence of the defendant, and every pregnant circumstance relative thereto, do report as follows: They find that about August, 1775, the said William Alston, in behalf of the orphans of Solomon Alston, deceased, in the said petition mentioned, obtained under the signature of Josiah Martin, Esq. Governor, &c. of North Carolina, a writ of *Ne Exeat Regno*, against John Henderson (who intermarried with Sarah, widow of the said Solomon) for mal practices in his administration of the said deceased's estate, which said writ of *Ne Exeat Regno* your committee find to be unduly and ineffectually executed; and further they find that the sum of 1620l. Proc. money, bequeathed to two of the orphans, to wit: Lemuel and Henry, in the said petition mentioned, hath been improperly applied by the said Henderson, or at least not according to the express devise of the said Solomon. Your committee therefore are of opinion (exploding altogether the proceedings on the writ of *Ne Exeat Regno*) that the said Henderson be held to sufficient security for his not removing any part of the said deceased's estate out of the Province, or in default thereof, that the whole of said estate be put and placed in the hands and possession of the other two executors of the said Solomon, to wit: Joseph John Williams and William Alston, for the use and emolument of the orphans, to wit: Charity, Lemuel and Henry. Your committee further conceive that the intention of the testator, respecting the tuition of his children, is in some measure defeated by the intermarriage of his widow with the said Henderson; we therefore submit to the consideration of the House, whether it may not be expedient to place the said orphans under the care of some other person, so that their education and bringing up may be suitable to their rank and fortune.

The House taking the same into consideration, concurred therewith.

The returning officer having certified that Mr. Eaton Haynes was duly elected one of the delegates for the county of Northampton, in the room and stead of Mr. Samuel Lockhart, whose seat was vacated by his having a command in the Minute Service, appeared and took his seat:

Mr. Ambrose Ramsay, of Chatham, one of the delegates, Mr. Samuel Spencer, for Anson county, and Mr. John Childs, of the same county, appeared, subscribed the Test, and took their seats in Congress.

On motion, *Ordered*, That Alexander McDonald (son of Allen McDonald) be permitted to his parole, under the same restrictions as those already enlarged.

On motion, *Ordered*, That Mr. John Hunt be appointed an Assistant Clerk to this Congress.

*Resolved*, That Mr. President, Mr. Nash, Mr. Harnett, Mr. Thomas



Jones, Mr. Green Hill, Mr. Burke, Mr. Allen Jones, Mr. Locke, Mr. Blount, Mr. Rand, Mr. John Johnston, Mr. Ashe, Mr. Kinchen, Mr. Spencer, Mr. Haywood, Mr. Richardson, Mr. Bradford, Mr. Ramsay and Mr. Thomas Person be a committee to prepare a temporary Civil Constitution.

Mr. Abraham Shepherd, one of the delegates for Dobbs county, appeared and took his seat.

The order of the day being read for taking into consideration the nomination and appointment of military officers, *Ordered*, That the same be deferred till Monday next.

The Congress adjourned till Monday morning, nine o'clock.



MONDAY, APRIL 15, 1776.

The Congress met according to adjournment.

*Resolved*, That the Minute men and Militia battalions and troops, under the command of Col. Caswell, remain in their present station until Saturday next, and afterwards have leave to march, under their respective officers, into their several counties, and then have leave to disband; the Congress relying on the gallantry and public spirit of those brave officers and soldiers, so far as to rest satisfied that they will not avail themselves of this permission, if there be any immediate danger of an attack on that part of the Colony where they are now stationed.

Pursuant to a resolve of the 11th instant, Mr. President presented the thanks of the Congress to Col. Richard Caswell, and the brave officers and soldiers under his command, for the very essential service by them rendered this Colony at the late battle of Moore's Creek.

The committee to whom was referred the consideration of a letter from the committee of Beaufort, in Carteret county, are of opinion that the situation of that town, and the Inlets adjacent, are such, that it appears absolutely necessary that a considerable military force should be stationed at or near the said town, to prevent our enemies from landing there, supplying themselves with provisions, and committing hostilities and depredations in that part of the Province; and that until further provision is made for the defence of that county, the company of 50 men now raised by the committee of said county be continued for that purpose, so long as the said committee shall judge it necessary.

The committee are also of opinion, that the turpentine now lying at Beaufort, belonging to William Gibbs, should be landed at his expense, and for his use, at some secure place where it may not fall into the hands of the enemy; all which is submitted to Congress.

*Ordered*, The said report lie for consideration.

Mr. Lawrence Baker, one of the delegates for Hertford county, appeared, subscribed the Test, and took his seat in Congress.

William Hooper and John Penn, Esqrs. delegates of the Continental Congress and members of this House, appeared, subscribed the Test, and took their seats.

*Resolved*, That Mr. Hooper, Mr. Penn, Mr. Harnett, Mr. Ashe, Mr. Thomas Jones, Mr. Burke and Mr. Spencer be a committee to take into consideration the most practicable and expeditious method of supplying the Province with arms, ammunition, warlike stores and sulphur; and also the



expediency of erecting works for the making of salt petre, gunpowder and purifying sulphur.

On motion, *Ordered*, The House take into consideration the state of the Sea coast to-morrow morning.

*Ordered*, That Mr. Hooper and Mr. Penn be added to the committee to prepare a temporary Civil Constitution.

The Congress taking into consideration the appointment of the field officers to the battalions directed to be raised, *Resolved*, That Jethro Sumner, Esq. be appointed Colonel, William Alston, Esq. Lieutenant Colonel, and Samuel Lockhart, Esq. Major, of the 3d regiment. Thomas Polk, Esq. Colonel, James Thackston, Esq. Lieutenant Colonel, and William Davidson, Esq. Major, of the 4th regiment. Edward Buncombe, Esq. Colonel, Henry Irwin, Esq. Lieutenant Colonel, and Levi Dawson, Esq. Major, of the 5th regiment. Alexander Lillington, Esq. Colonel, William Taylor, Lieutenant Colonel, and Gideon Lamb, Major, of the 6th regiment. And Robert Washington, Adjutant of the 3d regiment, William Williams, Adjutant of the 4th regiment, Henry Darnell, Adjutant of the 5th regiment, and Bennet Crafton, Adjutant of the 6th regiment.

The Congress adjourned till to-morrow morning, nine o'clock.

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TUESDAY, APRIL 16, 1776.

The Congress met according to adjournment.

The several districts, by directions of the Congress, having nominated sundry persons as officers to the battalions directed to be raised in this Province; the House taking the same in consideration, *Resolved*, That the persons be, and they are hereby appointed accordingly, to wit:

HALIFAX.

William Brinkly, Captain.  
Isaac Privat, 1 Lieut.  
Christopher Lacky, 2 Lieut.  
William Etheridge, Ensign.  
Pinkethman Eaton, Captain.  
James Bradly, 1 Lieut.  
Robert Washington, 2 Lieut.  
Joseph Montfort, Ensign.  
John Gray, Captain.  
Joseph Clinch, 1 Lieut.  
Matthew Wood, 2 Lieut.  
Etheldred Dance, Ensign.  
William Barrat, Captain.  
Nicholas Edmunds, 1 Lieut.  
Gee Bradly, 2 Lieut.  
William Linton, Ensign.  
Jacob Turner, Captain.  
Daniel Jones, 1 Lieut.  
Alsop High, 2 Lieut.  
Benjamin Morgan, Ensign.

HILLSBOROUGH.

Philip Taylor, Captain.  
John Kennon, 1 Lieut.  
Dempsey Moore, 2 Lieut.  
Solomon Walker, Ensign.  
Archibald Lyttle, Captain.  
Thomas Donoho, 1 Lieut.  
Samuel Thompson, 2 Lieut.  
William Lyttle, Ensign.  
James Emmett, Captain.  
William Clements, 1 Lieut.

LENTON.

Peter Simon, Captain.  
Andrew Duke, 1 Lieut.  
Nehemiah Long, 2 Lieut.  
Benjamin Bailey, Ensign.  
John Pugh Williams, Captain.  
Thos. Whitmell Pugh, 1 Lieut.  
Joseph Clayton, 2 Lieut.  
Elisha Rhodes, Ensign.  
Jerom MacLaine, Captain.  
Jacob Pollock, 1 Lieut.  
Blount Whitmell, 2 Lieut.  
William Knot, Ensign.  
Thomas Granbery, Captain.  
Kedar Ballard, 1 Lieut.  
John Granbery, 2 Lieut.  
Zephaniah Burges, Ensign.  
Roger Moore, Captain.  
William Goodman, 1 Lieut.  
Benajah Turner, 2 Lieut.  
Abel Mosslander, Ensign.

WILMINGTON.

John Ashe, jun. Captain.  
Charles Hollingsworth, 1 L't.  
Mark McLamy, 2 Lieut.  
David Jones, Ensign.  
John James, Captain.  
Daniel Williams, 1 Lieut.  
John McCan, 2 Lieut.  
Edward Outlaw, Ensign.  
Griffith John McRee, Captain.  
Francis Child, 1 Lieut.

NEWBERN.

Simon Alderson, Captain.  
William Groves, 1 Lieut.  
John Custis, 2 Lieut.  
James McKinnie, Ensign.  
John Enloe, Captain.  
George Suggs, 1 Lieut.  
Henry Cannon, 2 Lieut.  
Shadrach Wooten, Ensign.  
William Caswell, Captain.  
Henry Darnell, 1 Lieut.  
John Sitgreaves, 2 Lieut.  
John Bush, Ensign.  
Reading Blount, Captain.  
Benjamin Coleman, 1 Lieut.  
John Allen, 2 Lieut.  
Thomas Blount, Ensign.  
Benjamin Stedman, Captain.  
Robert Turner, 1 Lieut.  
John Eborn, 2 Lieut.  
Charles Stewart, Ensign.

SALISBURY.

Robert Smith, Captain.  
William Brownfield, 1 Lieut.  
William Caldwell, 2 Lieut.  
Thomas McClure, Ensign.  
William Temple Cole, Captain.  
James Carr, 1 Lieut.  
David Craig, 2 Lieut.  
Joseph Patten, Ensign.  
Thomas Harris, Captain.  
Thomas Picket, 1 Lieut.



John Madaris, 2 Lieut.  
John Morpiss, Ensign.  
Jesse Saunders, Captain.  
William Glover, 1 Lieut.  
Pleasant Henderson, 2 Lieut.  
Thomas Grant, Ensign.  
William Ward, Captain.  
John Whitley, 1 Lieut.  
Willis Pope, 2 Lieut.  
John Hopson, Ensign.

Christopher Gooding, 2 Lieut.  
Richard Singletary, Ensign.  
George Mitchell, Captain.  
Amos Love, 1 Lieut.  
Benjamin Pike, 2 Lieut.  
Reuben Grant, Ensign.  
Arthur Council, Captain.  
Thomas White, 1 Lieut.  
Thomas Armstrong, 2 Lieut.  
Denny Porterfield, Ensign.

James Farr, 2 Lieut.  
James Coots, Ensign.  
Joseph Phillips, Captain.  
James Shepherd, 1 Lieut.  
Micajah Lewis, 2 Lieut.  
William Meridith, Ensign.  
John Neilson, Captain.  
William Dent, jun. 1 Lieut.  
James Starrat, 2 Lieut.  
Alexander Nelson, Ensign.

#### BY THE HOUSE.

John Baptista Ashe, Captain.  
George Daugherty, 1 Lieut.  
Andrew Armstrong, 2 Lieut.  
Joshua Hadly, Ensign.

James Cook, Captain.  
Adam Hampton, 1 Lieut.  
John Walker, jun. 2 Lieut.  
Adam McFaddon, Ensign.

The Congress taking into consideration the appointment of officers to the companies of Light Horse to be raised in this Province, *Resolved*, The following persons be appointed accordingly, viz.

John Dickerson, Captain, Samuel Ashe, jun. Lieutenant, and Abraham Childers, Cornet, of the 1st company. Martin Pfifer, Captain, James Sumner, Lieutenant, and Valentine Beard, Cornet, of the 2d company.—James Jones, Captain, Cosimo Madacy, Lieutenant, and James Armstrong, Cornet, of the 3d company.

*Resolved*, That Mr. Sumner, Mr. Thomas Person, Mr. Rutherford, Mr. Ashe and Mr. Nash be a committee to regiment the different companies to be raised.

*Resolved*, That the committee of Secrecy, Intelligence and Observation, already appointed by this Congress, shall have full power to send for, and enforce the attendance before them of all suspected persons, and to compel the attendance of witnesses, and to procure all such papers as may give information with respect to such offenders; and that such committee report nothing to this House, or to any person, which may tend to defeat the purpose of this appointment.

Mr. William Cuming, one of the delegates for Pasquotank county, and Mr. William Murfree, one of the delegates for Hertford county, appeared and took their seats.

*Ordered*, That Mr. William Cumming and Mr. John Johnston be added to the committee to take under consideration the petition of William Alston, and that the said petition be recommitted for their consideration.

Mr. President laid before the House a copy of a letter received from the committee of Onslow county, from John Cruden & Co. of Wilmington, to Patrick McLeod, of London, signifying sundry things therein unfriendly to the American rights; therefore *Resolved*, That the said John Cruden be immediately sent for, taken into custody, and brought before this House, to answer for his conduct; and that the committee of Onslow county be desired to send to the Congress the original papers respecting the said John Cruden & Co. and William Gibbs, and that Capt. John Daly be appointed to execute this resolve, and make due return thereon.

The Congress adjourned till to-morrow morning, nine o'clock.

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WEDNESDAY, APRIL 17, 1776.

The Congress met according to adjournment.

*Resolved*, That no recruiting officer shall be allowed to enlist into the service any servant whatsoever, except apprentices bound under the laws



of this Colony; nor any such apprentices, unless the consent of his master be first had in writing; neither any man unless he be 5 feet 4 inches high, healthy, strong made, and well limbed, not deaf, or subject to fits or ulcers on their legs.

The committee for regimenting the different companies, laid before the House the following arrangement, which was agreed to, viz.

Jethro Sumner, Colonel.	} 3d Reg't.	Edward Buncombe, Colonel.	} 5th Reg't.
William Alston, Lieut. Col.		Henry Irwin, Lieut. Col.	
Samuel Lockhart, Major.		Levi Dawson, Major.	
1 William Brinkly,	} Captains.	1 Reading Blount,	} Captains.
2 Pinkithman Eaton,		2 John Enloe,	
3 John Gray,		3 William Caswell,	
4 William Barrot,		4 Simon Alderson,	
5 Jacob Turner,		5 Benjamin Stedman,	
6 George Granbury,		6 Peter Simons,	
7 James Cook,		7 John Pugh Williams,	
8 James Emmet,	} 4th Reg't.	8 William Ward,	} 6th Reg't.
Thomas Polk, Colonel.		Alexander Lillington, Col.	
James Thackston, Lieut. Col.		William Taylor, Lieut. Col.	
William Davidson, Major.		Gideon Lamb, Major.	
1 Roger Moore,	} Captains.	1 John James,	} Captains.
2 John Ashe,		2 Griffith John McRee,	
3 Jerom MacLaine,		3 George Mitchell,	
4 Robert Smith,		4 Arthur Council,	
5 William Temple Cole,		5 Philip Taylor,	
6 Thomas Harris,		6 Archibald Lyttle,	
7 Joseph Philips,		7 Jesse Saunders,	
8 John Nelson,		8 John Baptista Ashe,	

The Captains to take rank from the time their respective companies shall be completed, to be certified under the hand of one or more magistrates of the county where the men may be raised; and in case two or more companies be compleated in one day, or any dispute arise about rank, that it be determined by a court martial.

*Ordered,* That Mr. William Cumming, Mr. Allen Jones and Mr. Ashe be a committee to draw up rules and decorum to be observed in Congress.

*Ordered,* That John Martin, Donald Shaw, Soril McDonald, Nivin Colbreath, Robert Mylne, Richardson Fagon, John Martin, Alexander Spiers and George Meeks be discharged from their further attendance.

*Ordered,* That Edward Winslow be discharged, he first entering into bond, with security, in the sum of 50l. for his personal attendance at any future time before this Congress.

That James Barns have liberty to retire from this Congress, and that Col. Nicholas Long deliver to him his waggon and horses, and such other property as has been detained.

*Resolved,* That Dr. Robert Hall be appointed Chirurgeon to the 3d regiment, Dr. Hugh Boyd Chirurgeon to the 4th regiment, Dr. Samuel Cooley, Chirurgeon to the 5th regiment, and Dr. William McClure Chirurgeon to the 6th regiment.

*Resolved,* That James Hogan, Esq. be appointed Paymaster of the 3d regiment to be raised in this Province, also Paymaster to the three companies of Light Horse. Samuel Ashe, Esq. Paymaster to the first regiment. Jacob Blount, Esq. Paymaster to the second regiment. Hezekiah Alexander, Paymaster to the fourth regiment. Thomas Benbury, Paymaster to the 5th regiment. Nathaniel Rochester, Paymaster to the 6th regiment.

*Resolved,* That Mr. Whitmell Hill, Mr. Thomas Person, Mr. John



Ashe, Mr. Coor, Mr. Harnett, Mr. Locke, Mr. Cooper, Mr. Lamon and Mr. John Johnston be a committee to settle the rations and the price to be allowed the commissaries for victualling the army.

*Resolved*, That Nicholas Long, Esq. be recommended to the General Congress for Quarter Master General to the Southern Department, to rank as Colonel; and that he act as Quarter Master in this Province until the sense of the Congress shall be had thereon.

*Resolved*, That Samuel Swan, Esq. be recommended to the General Congress for Deputy Adjutant General in this Province, and that he act as such until the sense of the Congress shall be had thereon.

*Resolved*, That Mr. Locke, Mr. Sanders, Mr. Thomas Person, Mr. Rutherford, Mr. Whitmell Hill, Mr. Burke, Mr. Nisbet, Mr. Spencer, Mr. Abraham Shepherd and Mr. Thomas Harvey be a committee to settle and allow the pay of the Light Horse heretofore in the service, and also the pay of those Light Horse directed to be raised by this Congress.

The order of the day being read, *Resolved*, That Mr. Hooper, Mr. Penn, Mr. Harnett, Mr. Thompson, Mr. Campbell, Mr. Benbury, Mr. Abbot, Mr. Jarvis, Mr. Nash, Mr. Cooper, Mr. Miles Harvey, Mr. Thomas Jones, Mr. John Ashe, Mr. Spicer and Mr. John Jordan be a committee to take into consideration the defence and state of the Sea coast, and make report thereon.

*Resolved*, That Mr. Spencer, Mr. Hawkins, Mr. Joseph Williams, Mr. Thomas Person and Mr. John Johnston be a standing committee to take into consideration such petitions as may be exhibited by persons who shall appear objects of charity.

The Congress adjourned till to-morrow morning, nine o'clock.



THURSDAY, APRIL 18, 1776.

The Congress met according to adjournment.

*Resolved*, That it be an instruction from this House to the committee of Claims, to allow all reasonable charges and expences to the officers, soldiers, and other persons, who served in the militia lately in service, although there be no provision made for such claims in the act or acts of Assembly, or resolves of Congress, heretofore made; and that where it shall appear to them that any individual has *bona fide* advanced his money for the public service, they shall allow the same.

*Resolved*, That every member of this Congress consider himself, under the ties of virtue, honor and love of his country, not to divulge, directly or indirectly, any matter or thing agitated or debated in Congress, during the time of debate, or before the same shall be determined, or after the determination thereof, which the President, at the request of the mover thereof, openly shall direct to be kept secret, without leave of the Congress, or a majority thereof; and that every person who shall violate this agreement shall be expelled the Congress, and considered as an enemy to America; and that every member signify his consent thereto by signing his name.

Samuel Johnston, Thomas Respiss, jun. John Cowper, John Campbell, William Alston, Phil. Hawkins, jun. Jacob Blount, John Bryan, William Thompson, Solomon Shepherd, William Person, Samuel Jarvis, James Ryan, Solomon Perkins, James White, Thomas Benbury, Thomas Jones, John Thompson, William Haywood, Elisha Battle, M. Hunt, John Taylor, jun. Joseph Hancock, John Jordan, Robert Sumner, Joseph John Williams,



Willis Alston, John Bradford, James Hogun, Nathaniel Richardson, James Council, Arthur Council, John Pfifer, John McNitt Alexander, Robert Irwin, William Williams, John Ashe, John Devane, Allen Jones, Drury Gee, John King, Miles Harvey, W. Skinner, Thomas Boyd, William Robson, Griffith Rutherford, Matthew Lock, John Hinton, J. Rand, Cornelius Harnett, Whitmell Hill, Howell Edmunds, David Nisbit, James Coor, John Webb, Day Ridley, David Sumner, C. W. Jacocks, Jeph. Atherton, James Bonner, Nathan Boddie, Rotheas Latham, Benjamin Parmele, Jeduthan Harper, George Miller, Richard Caswell, S. Ashe, Joseph Jones, Sam. Smith, A. Corrie, John Johnston, Benajah Doty, John Hollinsworth, John Spicer, William Brown, Nathaniel Rochester, David Smith, David Love, Thomas Burke, Charles Eaton, Alexander McAlester, William Johnston, James Sanders, Simon Bright, J. Kinchen, Thomas Wiggins, Ransom Southerland, Henry Abbot, Demsey Burges, William Dent, Ralph Gorrell, A. Nash, Elisha Cain, Ting. Jones, K. McKenzie, A. Ramsey, Joseph Williams, Dun. Lamon, Thomas Harvey, William Dickson, Needham Bryan, Joseph Winston, Charles Gordon, Eaton Haynes, Samuel Spencer, John Chiles, Abraham Sheppard, jun. Law. Baker, Will. Hooper, John Penn, Will. Cumming, William Murfree, Gideon Lamb, James Green, jun. Sec. J. Glasgow, Assistant, John Hunt, Assistant, Thomas Person, Green Hill, Thomas Sherrod, John Simpson, Tom Gray, Thomas Hunter.

On motion, *Ordered*, That Henry Giffard's letter to Col. James Moore be referred to the committee to take into consideration the most practicable and most expeditious method with supplying the Province with arms, ammunition, warlike stores, &c.

*Resolved*, That Mr. Allen Jones, Mr. Nash, Mr. John Ashe, Mr. Miles Harvey and Mr. William Thompson be a committee to draw up instructions and orders for the recruiting officers.

*Ordered*, That John Slingsby, James Wark, Dougal Campbell, Hector McNeill, Daniel Treadway, Malcolm McNeill, James Cooper, John Cox, James Collins and Daniel Muse have leave to retire from their further attendance on this Congress, and that certificates be issued for their passing unmolested.

On motion, *Resolved*, That a resolve of yesterday, for appointing James Hogun Paymaster to the 3d regiment, Samuel Ashe Paymaster to the 1st regiment, Jacob Blount Paymaster to the 2d regiment, Hezekiah Alexander Paymaster to the 4th regiment, Thomas Benbury Paymaster to the 5th regiment, and Nathaniel Rochester Paymaster to the 6th regiment, be rescinded.

*Resolved*, That Jacob Blount, Esq. be appointed Paymaster to the troops in this Province, and that he be allowed fifty dollars per month, (the pay of a Deputy Paymaster,) and that he enter into bond, with sufficient security, in the sum of 100,000l. for his faithful discharge of that office.

*Resolved*, That Robert Bignal be allowed the sum of 54l. 8s. 8d. Proc. money, for 100 wt. of gunpowder, and 433 wt. of shot; that the Treasurers, or either of them, pay him the same, on his producing a receipt from Col. Henry Irwin that the same is *bona fide* delivered.

The Congress adjourned till to-morrow morning, nine o'clock.



FRIDAY, APRIL 19, 1776.

The Congress met according to adjournment.

*Resolved*, That Thomas Wade and David Love for Anson, Henry Bonner and Joseph Blount for Beaufort, Thomas Robinson and Thomas Brown for Bladen, Zedekiah Stone and Jonathan Jacocks for Bertie, Richard Quince, jun. and Parker Quince for Brunswick, Julius Nichols and Adkin Macklemore for Bute, Christopher Neale and William Blount for Craven, John Eason and Brice Williams for Carteret, Samuel Jarvis and Solomon Perkins for Currituck, Luke Sumner and John Baptist Beasley for Chowan, Ebenezer Fulsome and John Blocker for Cumberland, Mial Scurlock and Solomon Morgan for Chatham. James Kenan and Richard Clinton for Duplin, Benjamin Sheppard and Joseph Green for Dobbs, Henry Horn and Jonas Johnston for Edgecomb, Memucan Hunt and Thomas Banks for Granville, Charles Bruce and Daniel Galaspee for Guilford, Edward Hancock and William Russel for Hyde, George Little and William Baker for Hertford, Egbert Haywood and David Crawley for Halifax, Needham Bryan and John Smith for Johnston, David Rees and Thomas Harris for Mecklenburg, Francis Ward and Blake Baker Wiggins for Martin, John Devane and Capt. John Foster for New Hanover, William Eaton and Hezekiah Hough for Northampton, William King and Thomas Johnston for Onslow, John Butler and John Atkinson for Orange, Benjamin Harvey, jun. and Edmund Blount for Perquimons, Isaac Gregory and Othniel Lassell for Pasquotank, James Gorham and Benjamin May for Pitt, Francis Lock and James Brandon for Rowan, Robert Lanier and Jesse Walton for Surry, Stevens Lee and Hezekiah Spruill for Tyrrell, William Grimes and Robert Alexander for Tryon, and Thomas Hines and Theophilus Hunter for Wake county, be appointed to receive, procure and purchase fire arms for the use of the troops, and that they observe the following regulations:

1. That they receive into their possession all such arms as have been taken from the Tories, and keep them safely till they shall be demanded by persons hereafter to be appointed by this Congress for that purpose; and that they have power to give discharges upon such receipts to all persons intitled to them.

2. That they purchase all fire arms which are good and sufficient, and fit for immediate use; and also such as may be repaired, and put in such order as to be made useful. Provided, that no guns fit for immediate use may be purchased from any militia man, whereby he may be able to plead such circumstance in excuse for not attending his duty as a militia man when called upon.

3. That such arms as they shall purchase which are out of repair, they shall immediately put into the hands of workmen to make fit for use, and by every means in their power expedite the same.

4. That the arms so taken, when repaired, shall be valued by indifferent persons, and after deducting the expense of the repairs, the surplus shall be paid to those from whom such were purchased; and as to those which are fit for immediate use, the value thereof, upon appraisement made by indifferent persons, shall be paid to the proprietors.

*Resolved*, That as there are a number of persons called Quakers, Moravians and Dunkards, who conscientiously scruple bearing arms, and as such have no occasion for fire arms, that they be informed, that it is the sense and confident expectation of this Congress, that they will dispose of



their fire arms to the said commissioners, they receiving the full value thereof; but that no compulsion be exercised to induce them to this duty.

*Resolved*, That the sum of 300l. be advanced to the draught of the said commissioners for each county, they giving bond and security for the due application of the same, and that such bond be to the President of this Congress; and that the Delegates of each county shall take care that such bond is given, and shall exert themselves to aid and assist the said commissioners to carry these resolves into execution.

*Resolved also*, That the said commissioners shall receive from those who now hold them in possession, all swords, dirks, pistols, and all other implements of war, which have been taken from the Tories; and that they purchase as many bayonets as can be procured, which are already made.

*Resolved also*, That if armorers cannot be found in each county sufficient for repairing such arms, that they be sent into such public armory as shall be established hereafter by this Congress.

*Resolved*, That the said commissioners shall be allowed a genteel and generous compensation for their service, in proportion to the fidelity and despatch with which they shall execute this trust.

*Resolved*, That the Colonels of the continental troops shall receive from the said commissioners such arms as they may collect, as soon as they are fitted for use, and shall deliver them out to the recruits; and as soon as their respective regiments are armed, the surplus in their hands to be delivered over to the Commissary of Stores, hereafter to be appointed.

The committee appointed to take into consideration the defenceless state of the sea coast of this Province, do report, and humbly submit to the consideration of the Congress, the following as their opinion, viz. That the sea coast from the Virginia line to Occacock Inlet, as also the coast from Occacock to Bogue Inlet, and from that Inlet to the South Carolina line, is totally defenceless, and all the sea banks covered with cattle, sheep and hogs, and the few inhabitants living on the banks are chiefly persons whose estates consist in live stock, and exposed to the ravages of the small armed vessels and tenders; and that if the armed vessels and tenders are prevented from getting supplies of fresh provisions from the sea coast, it will be impossible for the war to be of long continuance in this Province, as the seamen and soldiers will be afflicted with the scurvy and other diseases, arising from the constant use of salt provisions, and therefore be under the necessity of quitting the coast, and by that means save to the back inhabitants of this Province the very great trouble and heavy expense of frequently coming down to the assistance of their brethren on the sea board.

Your committee further submit to the consideration of the Congress the necessity there is of raising another regiment, and stationing six companies out of the same on the sea coast for its defence, in the following manner, viz. Two companies from the Virginia line to Occacock Inlet, two companies between Occacock Inlet and Bogue Inlet, and two companies between Bogue Inlet and the South Carolina line; and that it be recommended to the Continental Congress to take the said regiment into Continental pay, first fully assuring the Congress of the necessity of such a measure.

*Ordered*, The said report lie for consideration till to-morrow.

*Ordered*, That Mr. Hooper and Mr. Penn be added to the committee of Secrecy, War and Intelligence.



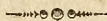
Mr. Spicer, Mr. Hunt and Mr. Tignal Jones have leave to absent themselves for a few days.

*Ordered*, That Mr. Rochester, Mr. Dickson, Mr. Lawrence Baker, Mr. William Williams, Mr. Thomas Harvey and Mr. Benajah Doty, be added to the committee of Claims and Military Accounts.

*Ordered*, That Mr. Thomas Person, Mr. Kinchen, Mr. Thomas Jones, Mr. Whitmell Hill, Mr. Lock, Mr. Cumming, Mr. William Williams and Mr. Thomas Benbury, be a committee to prepare a number of resolves to expedite the business for emitting money.

The returning officer having certified that Mr. Charles W. Jacocks was duly elected a Delegate for the county of Bertie, pursuant to a resolve issued from this Congress the 10th instant, the said Mr. Jacocks appeared and took his seat.

The Congress adjourned 'till to-morrow morning, nine o'clock.



SATURDAY, APRIL 20, 1776.

The Congress met according to adjournment.

The committee to draw up instructions and orders for the recruiting officers, reported as follows:

1. They are to inlist none but able bodied men, fit for service, capable of marching well, and such whose attachment to American liberties they have no cause to suspect; young, hearty, robust men, whose birth, family, connections and property bind them to the interest of their country, and well practised in the use of fire arms, are much to be preferred.
2. They are as much as possible to have regard to moral character, particularly sobriety.
3. They are not to inlist any imported servant, nor, without the leave of his master, any apprentice.
4. They are to be careful in inlisting such men for Serjeants and Corporals, whose ability, activity and diligence make them fit for that appointment; they are also to appoint a Fifer and Drummer.
5. They are to exert themselves to complete their companies, and punctually to report to their Colonels.
6. That the soldiers be allowed 1 s. per day each for their subsistence till they join their regiment.
7. They are to take notice that the Colonel of their battalion, or some field officer appointed by him, are to inspect their men, and to reject such as are not fit for service.
8. They are to furnish the subaltern officers of their companies with a copy of their instructions.
9. They are to inlist their men according to the following form, viz.
10. "I have this day voluntarily inlisted myself as a soldier in the American Continental Army, and do bind myself to conform in all instances to such rules and regulations as are or shall be established for the government of the said army; as witness my hand, &c."
11. That they inlist no soldier under 5 feet 4 inches high, able bodied men, healthy, strong made, and well limbed, not deaf, or subject to fits, or ulcers on their legs, or ruptures.
12. That they pay to each soldier they shall inlist 40 s. bounty, and 3 l. advance; and that every recruit take the following oath: *I ——— do swear, that I will be faithful and true to the United Colonies; that I will serve the same, to the utmost of my power, in defence of the just rights of America, against all enemies whatsoever; that I will, to the utmost of my abilities, obey the lawful commands of my superior officers, agreeable to the Ordinances of the Congress, and the Articles of War to which I have subscribed; and lay down my arms peacea-*



bly, when required so to do by the Continental Congress. So help me God.

The House taking the same into consideration, concurred therewith.

The committee appointed to settle and allow the pay of the Light Horse heretofore in the service, and also the pay of those Light Horse directed to be raised by this Congress, reported as follows:

Your committee are of opinion that each Light Horse man employed in the late expedition against the insurgents in this Province, should be allowed 2 s. 6 d. for every day he served, and that for every horse (where the public found forage) the owner should be allowed 2 s. and 2 s. 6 d. where forage was supplied by the owner. That to every Captain in such service should be allowed 10 s. Lieutenants 7 s. 6 d. and to every cornet 5 s. per day. That 2 s. 6 d. for every day's service should be allowed to every Light Horse man who shall hereafter enter into the regular service (exclusive of the horse) and to every captain the same pay as a Major of Foot, to every Lieutenant the same pay as a Captain of Foot, and to every Cornet the same pay as a Lieutenant of the Foot.

The House taking the same into consideration, concurred therewith.

*Ordered*, That Mr. Abraham Sheppard, Mr. William Johnston, Mr. Samuel Spencer and Mr. Thomas Wiggins, have leave of absence.

The order of the day being read for taking into consideration the defenceless state of the sea coast, *Ordered*, The same be deferred till Monday next.

The Congress adjourned till Monday morning, nine o'clock.

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MONDAY, APRIL 22, 1776.

The Congress met according to adjournment.

*Resolved*, That Major Peter Dauge and Mr. Demsey Gregory be appointed to take immediately into their possession all the negroes belonging to the estates of Thomas Macknight, late of Currituck county, and also of James Parker and Robert Gilmore, and cause them to be immediately brought to this place, that the said negroes may be subject to the further order of this Congress.

On motion, *Resolved*, The Congress resolve itself into a committee of the whole, to take into consideration the state and arrangement of the militia in this Province.

The Congress resolved itself into a committee of the whole accordingly, and chose John Campbell, Esq. Chairman; and after some time spent therein, came to several resolutions. Then, on motion, Mr. President resumed the Chair, and the Chairman reported as follows:

*Resolved*, That a Brigadier General of the militia be appointed in each district of this Province.

*Resolved*, That Richard Caswell, Esq. be appointed Brigadier General of the militia for the district of Newbern. John Ashe, Esq. for the district of Wilmington. Thomas Person, Esq. for the district of Hillsborough. Griffith Rutherford, Esq. for the district of Salisbury. Edward Vail, Esq. for the district of Edenton. Allen Jones, Esq. for the district of Halifax.

*Resolved*, That each of the Brigadier Generals shall take rank in their respective districts.

*Resolved*, That the following persons be appointed field officers in the respective counties, viz.



*Anson county*, Charles Medlock, Colonel, David Love, Lieut. Colonel, William Picket, 1 Major, George Davidson, 2 Major. *Beaufort*, James Bonner, Col. Thomas Bonner, Lieut. Col. William Brown, 1 Major, Henry Bonner, 2 do. *Bertie*, Thomas Whitmell, Col. Thomas Pugh, Lieut. Col. James Moore, 1 Major, Arthur Brown, 2 do. *Bladen*, Thomas Robeson, Col. Thomas Brown, Lieut. Col. Thomas Owen, 1 Major, James Richardson, 2 do. *Bute*, Thomas Eaton, Col. William Alston, Lieut. Col. Thomas Sherwood, 1 Major, Green Hill, 2 do. *Craven*, John Bryan, Col. Lemuel Hatch, Lieut. Col. John Bryan, 1 Major, John Tilman, 2 do. *Carteret*, William Thompson, Col. Solomon Shepherd, Lieut. Col. Thomas Shadwick, 1 Major, Malicha Bell, 2 do. *Currituck*, Hollo-well Williams, Col. Solomon Perkins, Lieut. Col. Taylor Jones, 1 Major, Asael Simmonds, 2 do. *Chowan*, Thomas Bonner, Col. James Blount, Lieut. Col. Thomas Benbury, 1 Major, Jacob Hunter, 2 do. *Cumberland*, Alexander M'Alister, Col. Ebenezer Fulsome, Lieut. Col. David Smith, 1 Major, Philip Alston, 2 do. *Chatham*, Ambrose Ramsay, Col. Jeduthan Harper, Lieut. Col. Mial Scurlock, 1 Major, Matthew Jones, 2 do. *Duplin*, James Kenan, Col. Thomas Routledge, Lieut. Col. James Moore, 1 Major, Robert Dickson, 2 do. *Dobbs*, Abraham Shepherd, Col. Martin Caswell, Lieut. Col. William McKinnie, 1 Major, James Glasgow, 2 do. *Edgecomb*, Exum Lewis, Col. Simon Gray, Lieut. Col. Jonas Johnston, 1 Major, Thomas Hunter, 2 do. *Granville*, Joseph Taylor, Col. Charles Rust Eaton, Lieut. Col. Samuel Smith, 1 Major, Thornton Yancy, 2d do. *Guilford*, James Martin, Col. John Peasly, Lieut. Col. Thomas Owen, 1 Major, Thomas Blair, 2 do. *Hyde*, Rotheas Latham, Col. Benjamin Parmele, Lieut. Col. William Russell, 1 Major, Thomas Jones, 2 do. *Hertford*, Benjamin Wynns, Col. Matthias Brickell, Lieut. Col. Lawrence Baker, 1 Major, George Little, 2 do. *Halifax*, Willis Alston, Col. David Sumner, Lieut. Col. James Hogan, 1 Major, Samuel Weldon, 2 do. *Johnston*, William Bryan, Col. John Smith, Lieut. Col. Samuel Smith, jun. 1 Major, John Stevens, 2 do. *Mecklenburg*, Adam Alexander, Col. John Pfifer, Lieut. Col. John Davidson, 1 Major, George Alexander, 2 do. *Martin*, William Williams, Colonel, Whitmel Hill, Lieut. Col. Thomas Wiggins, 1 Major, Kenneth McKinzie, 2 do. *New Hanover*, William Purviance, Col. Anthony Ward, Lieut. Col. Henry Young, 1 Major, Thomas Bloodworth, 2 do. *Northampton*, William Eaton, Col. Jephtha Eatherton, Lieut. Col. Howell Edmunds, 1 Major, Drury Gee, 2 do. *Onslow*, William Cray, Col. Henry Rhodes, Lieut. Col. Thomas Johnston, 1 Major, James Howard, 2 do. Southern Regiment in *Orange*, John Butler, Col. Nathaniel Rochester, Lieut. Col. Robert Abercrombie, jun. 1 Major, Hugh Tennen, 2 do. Northern Regiment in *Orange*, James Saunders, Col. William Moore, Lieut. Col. John Paine, 1 Major, Thomas Harrison, 2 do. *Perquimons*, Miles Harvey, Col. William Skinner, Lieut. Col. Thomas Harvey, 1 Major, Richard Clayton, 2 do. First Regiment of *Pasquotank*, Thomas Boyd, Col. Spencer Ripley, Lieut. Col. Othneil Lascelles, 1 Major, John Casey, 2 do. Second Regiment of *Pasquotank*, Isaac Gregory, Col. Demsey Burges, Lieut. Col. Joshua Campbell, 1 Major, Peter Dauge, 2 do. *Pitt*, John Simpson, Col. Robert Salter, Lieut. Col. George Evans, 1 Major, James Armstrong, 2 do. First Regiment of *Rowan*, Francis Lock, Col. Alexander Dobbins, Lieut. Col. James Brandon, 1 Major, James Smith, 2 do.



Second Regiment of *Rowan*, Christopher Beckman, Col. Charles McDowell; Lieut. Col. Hugh Brevard, 1 Major, George Welfong; 2 do. *Surry*, Martin Armstrong, Col. Joseph Williams, Lieut. Col. Joseph Winston, 1 Major, Jesse Walton, 2 do. *Tyrrell*, Clement Crook; Col. James Long, Lieut. Col. Joseph Spruill, jun. 1 Major, Andrew Long, 2 do. *Tryon*, William Graham, Col. Thomas Beaty, Lieut. Col. Andrew Hampton, 1 Major, Jacob Cosner, 2 do. *Wake*, John Hinton, Col. Theophilus Hunter, Lieut. Col. John Hinton, jun. 1 Major, Thomas Hines, 2 do.

*Resolved*, That the militia of the county of Orange be divided into two equal Regiments, to wit: the Northern and Southern Regiments; the Northern to include all the effective men on the north side of a certain east and west line heretofore run by the direction of the County Court of Orange; and the Southern to include all the effective men on the southern side of the said line.

The House taking the said report into consideration, concurred therewith.

The committee appointed to prepare a number of resolves to expedite the business of striking money, came to the following resolutions, which they humbly submit to the consideration of the Congress, viz.

*Resolved*, That the sum of 250,000 dollars shall be struck in bills of credit, of the following numbers and denominations, viz.

3000	12½ dollars,	£ 15000	20000	1	dollar,	£ 8000
10000	7½ do.	30000	20000	1-2	do.	4000
10000	5 do.	20000	20000	1-4	do.	2000
20000	2½ do.	20000	20000	1-8	do.	1000

*Resolved*, That the form of the said bills be as follows, viz. £ 100000

*North Carolina Currency.*

— Dollars, by authority of Congress, at Halifax, on the 2d day of April, 1776.

*Resolved*, That Mess. John Kinchen, Thomas Benbury, Memucan Hunt and John Johnston, or the survivors of them, be a committee to get proper plates engraved, and to provide paper and number the bills, and to agree with an engraver or engravers to stamp or print the said bills, and to form devices for the same; and that they be, and are hereby fully authorised to superintend the press, to have the oversight and care of stamping or printing the bills of credit so to be struck, and to deliver the same stitched to the commissioners hereafter to be appointed to sign the said bills.

*Resolved*, That the said commissioners shall use the best of their care and diligence that the said bills, according to their respective denominations, and according to the manner and form aforesaid, be forthwith printed or struck; and that the number of any of the denominations thereof be not exceeded, nor any clandestine or fraudulent practice be used by the engraver or engravers, his or their apprentices, servants, and others, concerned in the printing or striking thereof.

*Resolved*, That the engraver or engravers which the commissioners shall employ in the said work, before he or they enter upon the same, take before some Justice of the Peace, in the presence of one or both of the said commissioners, the following oath, viz.

“I, *A. B.* do swear, that I will truly, faithfully and honestly perform the duty of engraver of the bills of credit directed to be engraved by a re-



solve of the Congress of North Carolina, held at the town of Halifax the second day of April, in the year of our Lord 1776; and that I will not advisedly print, stamp or strike a greater number of blank bills of credit than in that resolve mentioned, nor of any other denomination than therein expressed, except such sheets as may be so blotted, unfair, or imperfect in the printing or striking thereof, that the same shall be unfit for use. *So help me God.*"

*Resolved*, That the said engraver or engravers, by himself or themselves, his or their servant, apprentice, or any other person by him or them employed, print, strike, stitch, or bind the said bills, or any of them, but in the presence of one or more of the said commissioners; and in every intermission of the work, the said commissioners shall safely and securely lock up in some room the press, plates and stamps, with which the work shall be performed, and the impressions which shall be then made, in which the printing, stamping and striking shall be done, and the keys of such room shall keep in their possession; and when all the said bills shall be printed and struck, the plates shall be delivered by the said engraver or engravers to the said commissioners, and by them to the commissioners hereafter to be appointed to sign the said bills of credit.

*Resolved*, That Col. William Haywood, Mr. John Webb, Mr. William Williams, and Mr. David Sumner, be commissioners for the purpose of signing the bills of credit; that all bills of one dollar and under be signed by at least two of the said commissioners, and that all the other bills be signed by four of the said commissioners, and after signing them, shall deliver the same to the Treasurers, or one of them, taking his or their receipts for the bills so delivered; and that they be allowed the sum of 12 s. per thousand bills signed by each for such services. And that the commissioners appointed to superintend the striking, stitching and binding of the said bills, be allowed the sum of 12 s. per thousand bills so superintended each for such services. And if any of the commissioners appointed as aforesaid should die, remove out of the Province, or refuse to act, the surviving commissioners, or a majority of them, shall appoint others, or another, in the room of him or them so dying, removing, or refusing; which commissioner or commissioners so appointed, shall enter into bond, and such commissioner shall before his entering into office take the following oath, to wit:

"I *A. B.* do swear, upon the Holy Evangelists of Almighty God, that I will, in consequence of the trust reposed in me by the Provincial Congress of this Province, faithfully execute the same; that I will not stamp, sign or emit, or knowingly suffer to be stamped, signed or emitted, more bills than such as have been described by the said Congress; and as soon as such bills are emitted, that the plates used in stamping the same shall be destroyed."

The House taking the same into consideration, concurred therewith.

*Resolved*, That Lieutenant Edward Vail, as soon as may be, march the troops under his command to the Southward, in order to join his Regiment; and that his conduct stands justified by this Congress in obeying the resolution of the committee of Edenton, lately issued for his detention.

The Congress adjourned till to-morrow morning, nine o'clock.



TUESDAY, APRIL 23, 1776.

The Congress met according to adjournment.

Read the petition of a number of people stiling themselves members of *Christ's Church*, setting forth they were for religious scruples bound by conscience against taking up arms; praying to be relieved in the premises.

The House taking the same into consideration, rejected the said petition, *nem. con.*

Read the petition of Philip Alston, setting forth he had been greatly injured by the Tories, particularly by a certain Capt. Muse; praying relief.

*Ordered*, The said petition lie for consideration.

*Resolved*, That Mr. Matthew Lock, Mr. John Pfifer and Mr. Joseph Williams, for the district of Salisbury; Mr. James Jones, Mr. James Saunders and Mr. Samuel Smith, for the district of Hillsborough; Mr. Benjamin McCulloch and Mr. William Johnston, for the district of Halifax; be appointed commissioners to purchase thirty-six geldings and the like number of saddles and bridles, with accoutrements, in each district; dark coloured horses, not under four, nor above eight years old, nor under fourteen hands high, sound, and strong made, and that the said commissioners do not exceed the sum of 30 l. for each horse so purchased; that they be allowed for each horse, with the accoutrements, the sum of 15 s. for purchasing the same.

*Resolved*, That Mr. William Kennon be appointed Commissary to the 1st Regiment in this Province, Robert Salter Commissary to the 2d Regiment, John Webb Commissary to the 3d Regiment, Ransom Southerland Commissary to the 4th Regiment, Peter Mallett Commissary to the 5th regiment, and Thomas Hart Commissary to the 6th Regiment.

*Resolved*, That every person who shall enlist himself as a Trooper in the Light Horse, shall be allowed three pounds advance.

The committee for taking into consideration the most practicable and expeditious method of supplying the Province with arms, ammunition, warlike stores and sulphur, and also the expediency of erecting works for the making of salt petre, gunpowder and purifying sulphur, laid the same before the House.

On motion, *Resolved*, The House resolve itself into a committee of the whole, to take under consideration the same. The House resolved itself into a committee of the whole accordingly, and chose John Campbell, Esq. Chairman; and after some time spent therein, came to several resolutions. Then, on motion, Mr. President resumed the Chair, and Mr. Chairman reported that the committee had come to several resolutions, but not having time to reduce them to form, desired leave to sit again.

*Resolved*, The said committee have leave to sit again to-morrow.

*Ordered*, That Mr. Ralph Gorrel, Mr. Solomon Perkins, Mr. John Penn, and Mr. William Thompson have leave to absent themselves for a few days from the service of the Congress.

The Congress adjourned till to-morrow morning, nine o'clock.



WEDNESDAY, APRIL 24, 1776.

The Congress met according to adjournment.

Mr. Rotheas Latham, one of the members for the county of Hyde, appeared, subscribed the Test, and took his seat accordingly.



On motion, *Resolved*, The House resolve itself into a committee of the whole House, for taking under further consideration the report of the committee to consider the most practicable and expeditious method of supplying the Province with arms, ammunition, warlike stores and sulphur; and also the expediency of erecting works for making salt petre, gunpowder and purifying sulphur, &c.

The House resolved itself into a committee of the whole accordingly, John Campbell, Esq. in the Chair; and after some time spent, came to sundry resolutions. On motion, Mr. President resumed the Chair, and Mr. Chairman reported as follows, to wit:

Your committee beg leave to report, that it is their opinion that Mr. Eaton Haynes, Mr. John Geddy, Mr. David Jeffers, and Mr. Henry Mason be employed to proceed, at the expense of this Province, to Warwick and Petersburg, in the Province of Virginia, and there to consult with —, Rubsamer, and observe the process by him made use of in manufacturing salt petre, and obtain from him instructions and information how the process may be most beneficially conducted in this Province; and after having themselves made the experiment successfully in the presence of the said Rubsamer, and having obtained a certificate from him of that fact, to return to this Province; and that they be empowered to promise, in behalf of this Colony, that they will make the said Rubsamer a handsome gratuity for the extraordinary trouble he may take to further the purposes of the said commissioners.

It is further the opinion of this committee, that buildings be erected, and all the materials, implements, and utensils, necessary for the manufacturing salt petre, be procured, and that a manufactory be established in the county of Halifax, which shall be under the superintendence, direction and management of the said commissioners; and that the said commissioners shall have power to draw upon the Treasury of this Province for a sum of money, not exceeding 600 l. to be applied to pay the expence of providing such works and materials as shall be necessary for the above purpose, and that they employ under them such labourers and assistants as may be necessary to conduct the process most expeditiously and beneficially; and that the said commissioners shall be allowed the sum of 1 s. for every pound of salt petre which they shall make and deliver within two years into the hands of the commissioners hereafter appointed to receive the same, for the benefit of the public; and that the said commissioners shall give bond, in the sum of 1200 l. to the President of this Congress, for the due and faithful discharge of the trust reposed in them, and for the due application of the said monies which may be paid them out of the Treasury.

It is further the opinion of this committee, that a powder mill be erected in the county of Halifax, and that Wylie Jones, Benjamin McCulloch and Josiah Sumner, Esqrs. be appointed to erect the same, and prepare all utensils, implements and materials, for the manufacturing gunpowder; and that they receive from the directors of the salt petre manufactory such quantities of salt petre, from time to time, as they shall have made, prepared and refined for use, and also shall use their best endeavors to procure sulphur wherever it may be found, and to purify such of it as may be crude and unfit for present use. And that the said Wylie Jones, Benjamin McCulloch and Josiah Sumner be empowered to draw upon the Colony Treasurers for a sum of money, not exceeding 500 l. to disburse the expence



of constructing such works, providing such articles as shall be necessary to carry on the said work; and that they give bond for the due application of the said monies, and the faithful discharge of the trust reposed in them, and that the said bond be to the President of this Congress, and his successors, in the penal sum of 1000 l. and that the said directors of the powder mill shall be allowed the sum of 1 s. for every pound of gunpowder manufactured by them, and delivered within two years into the hands of persons hereafter to be appointed by this Congress to receive the same, for the public use.

It is further the opinion of this committee, that a work be established in the Province of North Carolina for the purpose of making common salt, and that Waightstill Avery, William Thompson, Richard Blackledge and Robert Williams be commissioners to erect works necessary for that purpose, and to carry on the process, and obtain all possible information relative to the same; and that they be impowered to draw upon the Treasury for a sum, not exceeding 2000 l. to pay the expences of erecting such works, and providing all materials, implements and utensils proper to be made use of; and that such works be fixed in such part of the Sea coast where they will be best secured from the annoyance of the enemy, and tend to furnish the Colony with the greatest quantity of that necessary article; and that the said directors give bond, with sufficient security, for the faithful discharge of the trust reposed in them, and the due application of all such monies which may be advanced them; and that over and above their reasonable expences, be allowed the sum of 4 d. (for the space of two years from the last day of August next) for every bushel of salt manufactured by them, and delivered to such persons as shall be directed to receive the same, for the public use; and that the said commissioners, after fixing upon a proper place on the Sea coast for the manufacturing of common salt, do purchase the same of the proprietor or proprietors thereof, for and in behalf of the public of this Province, upon the most reasonable terms, and give a draft for the same on either of the Treasurers of this Province, who shall be allowed the same in the settlement of his accounts with the public; and that the conveyance for the same shall be taken in the name of the President and his successors of this Congress, for and in behalf of the public of this Province, and that said conveyance shall be taken in fee simple.

It is further the opinion of this committee, that John Devane, Richard Herring and James White, in the district of Wilmington; John Cowper, James Coor and James Glasgow, in the district of Newbern; Luke Sumner, William Hunter and Jacob Hunter, in the district of Edenton; Joseph John Williams, Christopher Dudley and James Ransom, in the district of Halifax; William Johnston, Thomas Burke and Ambrose Ramsey, in the district of Hillsborough; James McCoy, David Nisbit and William Alexander, in the district of Salisbury, be impowered immediately to direct the establishing of public manufactories in their respective districts, of good and sufficient muskets and bayonets, of the following description, to wit: Each firelock to be made of 3-4 of an inch bore, and of a good substance at the breach, the barrel to be 3 feet 8 inches in length, a good lock, the bayonet to be 18 inches in the blade, with a steel ramrod, the upper end of the upper loop to be trumpet mouthed; and that for that purpose they collect from the different parts of their respective districts all gunsmiths, and other mechanicks, who have been accustomed to make, or assist in



making muskets, or who may in their opinion be useful in carrying on such manufactory, and that they be together employed in the respective districts manufactory so established; and that they be furnished, at the expense of this Colony, with tools, implements and utensils, and materials for carrying on the said work; and that the said commissioners respectively shall contract with the mechanicks in such manner as they may think proper, provided that for each gun and bayonet compleat the public shall not pay a sum exceeding 5 l. and that the said commissioners in each district shall have liberty to draw upon the Treasury for a sum of money, not exceeding 1000 l. for each district, to be expended in erecting such manufactories, procuring tools, implements and materials, and paying the mechanicks employed for their respective services; and that the said commissioners shall give bond to the President and his successors, with sufficient security, for the faithful discharge of their trust, and that they will justly account for all sums of money which may be intrusted to them for the purposes aforesaid; and that the said commissioners shall deliver to such person or persons as shall be empowered by this Congress to receive the same, all such muskets and bayonets as shall be complete for use.

Your committee further report, that as to the contents of a letter from Henry Gifford to General Moore, referred to this committee, they are of opinion that Mr. Thomas Person, Mr. Martin Pfifer and Mr. Ambrose Ramsay be empowered and directed immediately to repair to John Wilcox's furnace and iron works on Deep River, and to agree with the said John Wilcox, in behalf of this Province, on the lowest terms they can, for the hire of the said furnace and iron works for the space of two years, or to purchase and repair the iron works in Guilford county, for casting pieces of ordnance, shot, and other warlike implements, for the use of this Province, of such sizes and denominations as the commanding officer of the troops shall from time to time direct; and that said commissioners agree with some person or persons, and direct the said work, and collect from the different parts of the adjacent country persons skilled in putting the said furnace in proper plight, and working at the same, and likewise horses, waggons, carts, barrows, together with all conveniences for smelting of metal, and wood cutters, colliers, and all other workers necessary for carrying on the work of the said furnace, and employ them for the purpose aforesaid; and that the said commissioners procure, at the expence of this Colony, all such provisions, tools, furniture and materials, as shall be found necessary for compleating the said purpose; and that for discharging the expence thereof, the said commissioners be empowered to draw on the Colony Treasurers, or either of them, for any sum, not exceeding 5000 l. and that they give bond to the President of this Congress, for and in the name of this Province, in the penal sum of 10,000 l. for the due application of, and accounting for the money they shall so draw for the purpose aforesaid, and the faithful discharge of the trust reposed in them.

And as by the above resolves several set of commissioners have been appointed to superintend to carry into execution the several purposes and manufactories mentioned therein, and as several commissioners therein mentioned may remove out of the Province, die, or decline; it is therefore *Resolved*, That where any of the said commissioners may remove himself out of this Province, die, or decline to act, in every such case, the survivor or survivors of such set of commissioners where such an incident may hap-



pen, shall have full power to nominate and appoint a person, whom they shall conceive a proper person, to fill up such deficiency, who shall enter into bond as is above directed.

The House taking the said report into consideration, amended the same, and concurred therewith.

*Ordered*, Mr. Griffith Rutherford, Mr. Thomas Person and Mr. Allen Jones be a committee to consider the petition of a number of persons in Guilford county, against Col. James Martin and Alexander Hunter, and make report thereon.

*Ordered*, Mr. James White, Mr. Lawrence Baker and Mr. Rotheas Latham have leave of absence.

*Resolved*, That General Rutherford, John Rand, John Cowper and James Saunders be a committee to report the most practicable and expeditious method of procuring and purifying sulphur for the use of the powder mill directed to be erected in this Province.

The Congress adjourned till to-morrow morning, nine o'clock.



THURSDAY, APRIL 25, 1776.

The Congress met according to adjournment.

*Ordered*, That Mr. Burges, Mr. John Johnston and Mr. Cowper have leave of absence for a few days.

*Resolved*, That Charles Robb, Thomas Douglass and Thomas Mander, lately taken at Occocock on board of a Tender, be admitted to their parole, they having signed a declaration for that purpose.

The committee appointed to examine and consider the petition of a number of persons in Guilford county, against Col. James Martin and Alexander Hunter, reported as follows, viz.

That about the 23d of February Capt. Alexander Hunter, contrary to orders, openly deserted at the head of his company from the army encamped at the Cross Roads, in Guilford county, and hath otherways behaved himself in a tyrannical and lawless manner to the men under his command. And as to Col. James Martin, your committee report, that the said Lieut. Col. James Martin, contrary to law, hath issued his warrant to an officer to tie several of his men, and to levy on their estates the sum of 10 l. and costs, without hearing any excuse, or admitting them to a trial by a Court Martial.

The House taking the same into consideration, *Resolved*, That the said Capt. Alexander Hunter and Lieut. Col. James Martin be suspended from their command, until their conduct can be enquired into by a Court Martial; and that the goods or effects of all persons levied on by the above officers be immediately restored.

*Ordered*, That Mr. Harnett, Mr. Thomas Jones and Mr. William Skinner be a committee to settle the salvage of such vessels as are lately taken, which the captors may be intitled to.

*Resolved*, That Eaton Haynes, Esq. be appointed an agent for this Province to proceed to Philadelphia, and to take such measures, and give such orders, as he may think most expedient, to conduct the prisoners to the several places destined for them by this Congress with the greatest safety and expedition possible; that he supply the prisoners and guard with provisions, and other articles which may be necessary for them upon their route; and be empowered, in behalf of this Province, to draw upon the Continental



Treasury for such sums as he shall necessarily expend for the above purposes, and that such draught be seasonably made known to Joseph Hewes, Esq. delegate of this Province in the Continental Congress, by letters of advice to be addressed to him.

*Ordered*, That Mr. Needham Bryan have leave to absent himself from the service of this Congress.

On motion, *Resolved*, That the temporary Civil Constitution be taken under consideration to-morrow morning.

Read the petition of sundry pilots, and other inhabitants of Occacock, praying a condemnation on the Tender called the Lilly, with her tackle, furniture and cargo, together with the Negroes belonging to her.

*Resolved*, That a special Court of Admiralty be appointed to try the Tender sloop the Lilly and cargo, and that for this purpose Richard Cogdell, Esq. be appointed Judge of the said court, John Cook, Esq. Advocate, and Thomas Sitgreaves, Esq. Register and Marshal; and that in case of condemnation, the proceeds of the sales, after defraying the reasonable charges of condemnation, be divided between the captors.

The Congress adjourned till to-morrow morning, nine o'clock.



FRIDAY, APRIL 26, 1776.

The Congress met according to adjournment.

*Resolved*, That Mr. President be empowered to borrow monies on the credit of this Province, and that the faith of this Province be pledged for the re-payment thereof, with interest thereon.

*Resolved*, That the several persons in this Province empowered to purchase provisions for the use of the public, be required to lay their accounts before the Congress.

Mr. Benjamin Parmale, one of the delegates for the county of Hyde, and Mr. Jeduthan Harper, one of the members for the county of Chatham, appeared, subscribed the Test, and took their seats in Congress.

*Resolved*, That each of the commissaries appointed in this Province, before they enter upon that office, enter into bond, with sufficient security, in the sum of 10,000 l. to the President of this Congress, for the faithful discharge of such office.

*Resolved*, That General Person, General Rutherford, General Jones, Mr. Burke, Mr. Locke, Mr. Coor and Mr. Miles Harvey be a committee to consider that part of General Moore's letter with respect to the requisition of the militia, and report to this House.

*Resolved*, That 2000 wt. of gunpowder be immediately dispatched from this place to Brigadier General Moore.

*Ordered*, That Mr. James Saunders, Mr. Duncan Lamon, Mr. Hancock, Mr. Battle, Mr. Southerland, Mr. Benbury and Mr. Nisbit be added to the committee of Claims, and that nine or more of them may proceed upon business.

*Resolved*, That Col. William Williams send to Tarborough 400 wt. of shot in his possession belonging to the public, and that he deliver the same to Col. Irwin of that place.

The Congress adjourned till to-morrow morning, nine o'clock.



SATURDAY, APRIL 27, 1776.

The Congress met according to adjournment.

*Ordered*, That Capt. Dickerson be added to the commissioners for purchasing light horse in the district of Hillsborough.

*Ordered*, That Mr. John Hollingsworth have leave of absence from this Congress.

*Resolved*, That all recruits shall be inlisted for the term of two years and six months from the time of such inlistment, but may be dismissed sooner, in case the Continental Congress shall judge it necessary; and if the said troops shall be discharged before the expiration of that term, they shall be paid one month's wages.

*Resolved*, That Mr. President give the thanks of this Congress to Brigadier General Howe, for his manly, generous and warlike conduct, in these unhappy times; more especially for the reputation which our Provincial troops acquired under him at the conflagration of Norfolk.

*Resolved*, That this Congress do publish a Declaration, testifying that they have been under a necessity to remove the prisoners who have been concerned in the late insurrection to other Provinces, from a regard to the public safety; and because while such men continued amongst us, much was to be apprehended from their personal and family influence of those persons disposed to exert it to the prejudice of this country, and delude those ignorant, wicked and unwary, into measures that might endanger the future happiness of this Colony. That the unhappy families and connections of those whom we have in our power, be assured, that every indulgence which humanity and compassion can give, consistent with the duty which we owe to the inhabitants of these Colonies, engaged in a contention for the rights of America and of mankind, shall be extended to those whom we have in our power; but that much will depend upon the future good behaviour of those who still remain in the Province, as to the mode of treatment which our prisoners shall experience, and their being suffered to return to their respective habitations, families and friends, when peace is restored to us; and that this Declaration be translated into Erse.

*Resolved*, That the committee of Secrecy, War and Intelligence be empowered to remove all such persons (not exceeding the number of 40) with their families, as they shall deem capable of influencing the late insurgents to take arms against America, from their present neighbourhood into such places as they shall judge most safe and convenient; and that certain persons, who shall be hereafter appointed in every county whither such persons and families shall be removed, be required to take special care that such persons shall not be suffered to want any of the necessaries of life, until it shall be in their power to procure the same by their own industry and property; and all supplies which shall at any time be furnished by the several persons so required, shall be paid for by this Colony. Provided, that every such person as shall be so removed, shall be allowed his election either to take with him his family or not; and also that all such persons shall be allowed to make such disposition as they shall think proper of their estates and properties.

*Ordered*, That Thomas Rutherford be permitted to take with him his horse and Negro man, and that Farquard Campbell be likewise permitted to take with him his horse, and that Mr. McNeill carry the same to them.

Pursuant to a resolution of this House, the returning officer certified that



Col. Richard Caswell, Mr. Simon Bright and Mr. George Müller were duly elected delegates for the county of Dobbs; who appeared, subscribed the Test, and took their seats in Congress.

The order of the day being read, *Resolved*, The House resolve itself into a committee of the whole House, to take into consideration certain resolutions proposed as a foundation for a temporary civil Constitution. The House resolved itself into a committee of the whole House accordingly, and chose William Cumming, Esq. Chairman; and after some time spent therein, Mr. President resumed the Chair, and Mr. Chairman reported the several resolutions. The House taking the same into consideration, *Ordered*, The same be laid over till Monday next.

Brigadier Ashe has leave of absence, and Mr. Day Ridley has leave of absence till Monday.

*Resolved*, That Christopher Neale be impowered to take to his assistance five sufficient persons, to carry under guard John Goodrich and George Blair, prisoners now in Halifax, to Suffolk in Virginia.

*Resolved*, That Mr. Christopher Neale be allowed the sum of 20 l. for carrying under guard to Suffolk in Virginia John Goodrich and George Blair, and that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

The committee appointed to take into consideration the requisition of reinforcement of the militia made by Brigadier General Moore, reported their opinion. *Ordered*, The same lie on the table.

The Congress adjourned till Monday morning, nine o'clock.

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MONDAY, APRIL 29, 1776.

The Congress met according to adjournment.

Read the petition of Philip Alston, setting forth the loss of a horse, mare and gun, by the Insurgents; praying relief. *Ordered*, To lie on the table.

Read the report of the committee for taking under consideration the petition of the executors of John Callaway, deceased. *Ordered*, The same lie for consideration.

Read the petition of the committee of Guilford county, requiring some reward for attending committee, sitting, and disarming the Tories, &c.—  
*Rejected nem. con.*

*Resolved*, That Mr. Hooper, Mr. Thomas Jones, Mr. Samuel Ashe, Mr. Penn, Mr. Kinchen, Mr. Caswell, Mr. Person and Mr. Harnett be a committee to consider and report the business necessary to be carried into execution this present Congress.

*Resolved*, That five independent companies be immediately raised in this Province, to consist of 1 Captain, 2 Lieutenants, 1 Ensign, 4 Serjeants; 4 Corporals, 2 Drummers, 1 Fifer, and 68 rank and file, and that the said companies be stationed at the following places, to wit: One company between Currituck and Roanoke Inlet, one company at Occacock Inlet, one company between Occacock and White Oak Inlet, one company between Bogue Inlet and New River Inlet, and one company between New River and Deep Inlet inclusive. And that the officers and soldiers of said companies shall be allowed the same pay and rations as officers and soldiers on the Continental establishment, and subject only to the controul of this or any future Congress, or to any executive power, acting in the recess of the same, to remove or disband them.



*Resolved*, That the following persons be appointed Captains, Lieutenants and Ensigns, to the independent companies directed to be raised, viz. James Anderson, Captain, Benjamin Bonner, 1 Lieutenant, James Wahob, 2 Lieutenant, and John Brag, Ensign, of the company at Occacock Inlet. Dennis Dauge, Captain, John Jarvis, 1 Lieut. Legrand Whitehall, 2 Lieut. and Butler Cowall, Ensign, of the company between Currituck and Roanoke Inlet. John King, Captain, Edward Ward, 1 Lieut. Peter McLammy, 2 Lieut. and James Boston, Ensign, of the company between New River and Deep Inlet. Enoch Ward, Captain, Reuben Benthel, 1 Lieut. Benjamin Chainey, 2d Lieut. and Charles Dennis, Ensign, of the company between Occacock and White Oak Inlets. Silby Harney, Captain, Joseph Walker, 1 Lieut. Adam Gaskin, 2 Lieut. and James Williams, Ensign, of the company between Bogue Inlet and New River.

And that the following persons be appointed Commissaries to the said companies: John Cooper, Esq. Commissary to the companies stationed at Occacock Inlet, and between Occacock and White Oak Inlet. Samuel Jarvis, Esq. Commissary to the company between Currituck and Roanoke Inlets. Mr. Hull Doty, Commissary to the company between New River and Deep Inlet.

*Resolved*, That the companies stationed on the Sea coast may be farther encouraged to exert themselves in taking armed vessels, and others which may be taken by the enemies ships of war and armed tenders, such as they take as prizes, may be adjudged to the captors, after the charges of condemnation; except vessels owned by Americans, and friends to Continental associations, &c. for which the captors shall have salvage.

Mr. Hawkins has leave of absence from the Congress.

The order of the day being read for taking into consideration certain resolutions proposed as a foundation for a temporary civil Constitution, *Ordered*, The same be deferred till to-morrow morning.

Pursuant to a former resolution, the following Declaration was laid before this Congress, and approved:

#### DECLARATION.

Impelled by a regard to our own safety, and the preservation of those rights and privileges which God and the Constitution have made unalienably ours, and which the power of Great Britain, with unremitting vengeance, injustice and cruelty, is labouring to subvert, we have been induced to measures which it is the object of this Declaration to explain to those who may be interested in them, or their consequences.

To other Provinces, at a distance from their own places of residence, without that circle where their personal and family influence may be exerted to the prejudice of the Continent, and of this Province in particular, we have deemed it absolutely necessary for the public safety to remove a body of men, whose residence fortune had cast in the very bowels of our country, and who, in common with ourselves, have shared the blessings which a mild and liberal provincial system of laws, a benighted climate, an increasing trade, that poured riches into the lap of our honest industry, the countenance and protection of their honest neighbours held forth to them with the most liberal hand; this misguided people, disregarding the duty which they owe to that country, under the just and equal laws of which they have enjoyed protection, procured ample means of subsistence for



themselves and their families, and possessed of a considerable property amongst us, were equally bound, by every tie divine and human, to defend and maintain the cause of liberty, which in common with ourselves, all virtuous men on this Continent, at the hazard of every thing dear to them, are labouring at this day to defend. Those men, confederating with our unnatural enemies, and taking advantage of their residence amongst us, and that confidence which such a relation necessarily created, have raised their hands against us, and endeavored to imbrue them in the best blood of our fellow citizens. God in his Providence hath hitherto defeated their wicked machinations, and after their having experienced a shameful defeat, hath put into our possession many of the principals of them, who from the wickedness of their own hearts, and from the seduction of others, meant to have consigned this once flourishing colony to the most abject slavery and oppression.

Those people, though subdued, still retain principles inimical to us; and are prompt, as soon as they shall be favoured by their situation, or the assistance of troops, expected every day to invade this colony, with a probability of succeeding, to attempt to carry their wishes into execution, and co-operating with a merciless administration, drench this Province in blood and slaughter.

These have been our motives for exercising a severity, which regard to the common safety, and that first principle of nature, self-preservation, prompted. Justice demanded it at our hands, and in the anguish of our hearts we lament the sad necessity which the frailties of our fellow beings have allotted to our share; still we wish the reformation of those who in this unhappy contest are severed from us, and from those endearing ties which nature and social connections have formed for them, and who still remain amongst us to lament the folly and wickedness of those whom we have removed from amongst them. To these we administer this consolation, that they may rest assured that no wanton acts of cruelty, no severity, shall be exercised to the prisoners; no restraints shall be imposed upon them, but what shall be necessary to prevent their using their liberty to the injury of the friends of America.

We have their security in contemplation not to make them miserable. In our power, their errors claim our pity, their situation disarms our resentment. We shall hail their reformation with increasing pleasure, and receive them to us with open arms. Then sincere contrition and repentance shall atone for their past conduct. Members of the same political body with ourselves, we feel the convulsion which such a severance occasions; and shall bless the day which shall restore them to us friends to liberty, to the cause of America, the cause of God and mankind.

We war not with the helpless females which they left behind them; we sympathize in their sorrow, and wish to pour the balm of pity into the wounds which a separation from husbands, fathers, and the dearest relations, have made. They are the rightful pensioners upon the charity and bounty of those who have aught to spare from their own necessities to the relief of their indigent fellow creatures; to such we recommend them.

May the humanity and compassion which mark the cause we are engaged in, influence them to such a conduct as may call forth our utmost tenderness to their friends whom we have in our power. Much depends upon the future demeanor of the friends of the insurgents who are left a-



mong us, as to the treatment our prisoners may experience. Let them consider these as hostages for their own good behaviour; and by their own merits make kind offices to their friends a tribute of duty as well as humanity from us, who have them in our power.

The Congress adjourned till to-morrow morning, nine o'clock.



TUESDAY, APRIL 30, 1776.

The Congress met according to adjournment.

The committee appointed to settle the salvage of such vessels as were lately taken, and what the captors may be entitled to, reported as follows, viz.

That it appears to your committee, that a certain schooner called the Polly, of which one Silas Henry is now master, was bound on a voyage from Edenton, in this Province, to the Island of Madeira, loaded with Indian corn, staves and heading, and that the said schooner had proceeded to the Swash, near Occacock Island, on her way to the said Island of Madeira; and that on Sunday the 14th of this instant (April) about four o'clock in the afternoon of the same day, an armed sloop, called the Lilly, commanded by a certain John Goodrich, a tender fitted out by Lord Dunmore for the purpose of taking all the vessels at Occacock Bar; that the said John Goodrich hailed the schooner Polly, and ordered the master to come on board the said tender, and bring his papers; that Silas Henry, the master, and James Buchanan, one half owner of the schooner Polly and her cargo, went on board the tender Lilly, and delivered the papers to Capt. John Goodrich, who received and examined the same, and who told Mr. James Buchanan that the schooner was a prize, and kept the papers; and that Lieutenant John Wright, master of the armed sloop Fincastle, came over Occacock bar the evening of the said 14th day of this instant (April) and about 8 o'clock the same evening a boat with armed men sent from the Fincastle boarded the schooner Polly, and plundered the said schooner of all the live stock, disarmed the men, and left a prize master and four armed men on board the schooner Polly, who remained there for the term of 58 or 59 hours; and that on the 17th of this instant (April) a number of armed men, in 5 whale boats, boarded the tender commanded by John Goodrich, took her, and retook the schooner Polly, and carried the tender and schooner up to Newbern. Your committee therefore humbly submit to the consideration of the Congress the following as their opinion: That the captors are intitled, by a resolve of the Continental Congress of the 25th of November last, to one third part of the schooner Polly and her cargo, in lieu of salvage; and that the said vessel and cargo, consisting of Indian corn, staves and heading, should be sold at public auction, first giving thirty days public notice; and that after the sale thereof, and all necessary charges deducted, the distribution thereof shall be made as followeth, viz. One third part to the captors, and the other two thirds to Mess. James Buchanan and Archibald Campbell, who appear to your committee to have owned the said schooner Polly and her cargo.

The House taking the said report into consideration, concurred therewith.

*Resolved*, That Thomas Sitgreaves be appointed to sell at public auction, for ready money, the schooner Polly and her cargo, first giving 30 days



notice in the Carolina Gazette; and that distribution of the money arising from the sale thereof (after deducting all necessary charges) be made in the following manner, viz. One third part thereof to the captors, in lieu of salvage; and the other two thirds to Mess. James Buchanan and Archibald Campbell, who appear to have owned the said schooner Polly and her cargo.

*Resolved*, That Joseph Hughs, late of Rowan county, have a safe conduct to come and reside in the county of Mecklenburg, with such of his family and property as he shall think proper to remove, he giving security to behave himself well, and not to give assistance or council, directly or indirectly, to the enemies of America.

*Resolved*, That Mr. George Miller, Mr. Currie and Mr. Campbell, be a committee to examine the property of John Hamilton and Co. in a vessel called the William, and her cargo, ordered to be seized at Newbern, and make report thereon.

*Ordered*, That Mr. Samuel Ashe and Mr. Caswell be added to the committee to report the most practicable and expeditious method of procuring and purifying sulphur for the use of the powder mill directed to be erected in this Province, and also the method of supplying the same with lead, and the mode of purifying the same.

The committee for taking under consideration such petitions as may be exhibited by persons who shall appear objects of charity, reported that they had taken in consideration the petition of Robert Willis, viz.

It appears to your committee that the said Robert Willis is a Serjeant in Capt. Armstrong's company of the Continental Army in this Province; that in the late expedition to Ninety Six, in South Carolina, he took cold by the inclemency of the season, whereby he hath been reduced to a very weak and languishing state of health, and that the said Robert Willis is very poor and indigent. Your committee therefore recommend him as an object of public charity, and are of opinion that, during his present infirmity, he ought to be allowed from this Province for his support at the rate of 20 l. a year, to be paid quarterly, in lieu of his pay.

And as to the case of one William Wommock, referred to this committee, it appears to your committee that the said William Wommock was a Sergeant in the Orange militia in the late expedition against the Tories; that on his march he was unfortunately shot with a bullet through one of his feet, and thereby rendered unfit for that service; that it does not appear to your committee that he is at present in a state of poverty and want, nor does it appear to your committee whether his wound be likely to be cured or not, or what expences have been incurred to effect his cure. Your committee therefore recommend that proper persons be appointed to inspect the said William Wommock, and to make report to the Congress.

The House considering the same, concurred therewith.

*Ordered*, That Mr. Simpson and Mr. James Saunders be appointed to examine into the circumstances of the said William Wommock, and report to the next Congress accordingly.

*Ordered*, That Mr. Hooper, Mr. Burke and Mr. Dickson, have leave of absence; and that Mr. Harnett has leave of absence the day after to-morrow.

*Resolved*, That Mr. Burke, Mr. Samuel Ashe, Mr. Caswell, Mr. Hooper, Mr. Penn, Mr. Nash, Mr. Kinchen, Mr. Thomas Jones and Mr. Coor,



be a committee to form a temporary form of government until the end of the next Congress.

*Resolved*, That Capt. ——— Dennison be allowed 10 l. as a gratuity for his care, vigilance, and the hazard he run, in performing a voyage from Newbern to the French West Indies, and back again, to procure ammunition for this Province; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts.

The committee to form an estimate of the expence for supporting the troops to be raised for one year, reported that the expence of one regiment for 12 months would amount to 50,000 l.

The committee for re-considering the petition of William Alston, in behalf of Solomon Alston's widow, reported to this House.

The House taking the same into consideration, *Resolved*, That John Henderson, who intermarried with the said Solomon Alston's widow, enter into bond, with sufficient security, to the President of this Congress (in behalf of said orphans) that he will not remove any part of the estate out of the Province, and faithfully account for the same.

The Congress adjourned till to-morrow morning, nine o'clock,



WEDNESDAY, MAY 1, 1776.

The Congress met according to adjournment.

*Resolved*, That a resolution of this Congress of the 22d of April, for appointing six Brigadier Generals in the several districts of this Province, be rescinded.

*Resolved*, That Brigadier General Howe be allowed the sum of 300 l. for his extraordinary expence while in the Colony of Virginia; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Ordered*, That Duncan McNeill be discharged from further attendance on this Congress, he first entering into bond, with security, in the sum of 500 l. for his appearance at a future Congress, and good behaviour.

*Resolved*, That Mr. John Henderson pay to Mr. James Jones 5 l. 15 s. for his expences in citing the said Henderson to appear at Congress on the petition of William Alston.

On motion, *Resolved*, That Allen Jones, Esq. be appointed Vice-President of this Congress.

*Resolved*, That Mr. William Fenner be appointed a Captain in the second Regiment of the Continental troops raised in this Province. *Ordered*, That a certificate issue accordingly.

Mr. John Taylor has leave of absence.

*Resolved*, That the further allowance of 666 dollars, and two third parts of a dollar, be paid to each of the Delegates who were appointed in September last to attend the Continental Congress in behalf of this Province, for one year; and that the Treasurers, or either of them, draw on the Continental Treasury for the same, and be allowed in their accounts with the public.

*Resolved*, That William Hooper, Joseph Hewes and John Penn, Esqrs. be, and are hereby appointed Delegates, in behalf of this Province, from the determination of the present year to the end of the next Congress which shall be held in this Province, to attend the general Congress at Philadelphia, or such other place as may be appointed; and they are hereby invest-



ed with such powers as may make any acts done by them, or any of them; or consent given, in behalf of this Province (not inconsistent with such instructions as may be given by this Congress) obligatory upon every inhabitant thereof; and that they be allowed at the rate of 2000 dollars each for performing such services, to be paid by the Public Treasurers, or either of them, who are empowered to draw on the Continental Treasury for the same, and shall be allowed in their accounts with the public.

Mr. Sherrod and Mr. Saunders have leave of absence.

*Resolved*, That the vestrymen legally elected in each and every parish in this Province on Easter Monday last, upon repeating and subscribing the Test recommended by the last Provincial Congress, shall be, and are hereby declared legal vestries, and may proceed to parochial business accordingly; and where no vestries were then elected, the freeholders in such parishes shall meet at the place by law appointed for the election of vestries on the first Monday in July next, and then and there choose and elect a vestry, agreeable to the directions of the act of Assembly for appointing vestries, and the poll shall be taken by the clerk of the county committee, and return made in the same manner as the sheriff, empowered and directed by the said act; which vestrymen so elected shall qualify themselves, by repeating and subscribing the aforesaid Test, and shall thereafter be deemed and taken to be the legal vestry of their respective parishes, and invested with the same powers and authorities, as if elected and qualified agreeable to the aforesaid act. Provided, that where any vestryman already elected for the present year has taken the oaths, or subscribed any Tests or Declarations heretofore appointed, the election of a vestry in such parish shall be, and is hereby declared void, and a new election shall be made under the regulations aforesaid. And provided also, that no vestry shall continue longer than until next Easter Monday under any election made on last Easter Monday, or by virtue of this resolve; any thing herein contained to the contrary notwithstanding.

*Resolved*, That commissioners be appointed in the counties of Guilford, Cumberland, Anson, Orange, Bladen and Chatham, to take inventories of the estates of the prisoners lately sent out of this Province, and of those who are out upon parole and bail, and to take all the care in their power to prevent waste and embezzlement, and to make return thereof to next Congress; but at the same time to pay particular attention to the unhappy women and children, to see that they do not want the common necessities of life, and that all their estates shall remain where they now are, except arms and ammunition, under the protection of this Congress, until some future order; and that the said commissioners shall, by every means in their power, endeavour to get into their possession such effects as have been taken from the said prisoners, persons on parole, and out on bail, and to be restored to the respective habitations from whence such effects were taken, and return inventories thereof to next Congress; and that the following persons be commissioners, viz. Mr. William Bell, Richardson Owen and Francis Harper, for Guilford county, Mr. Thomas Wade, John Cole and William Mask, for Anson county, Mr. Peter Mallett, William Rand and Robert Cobb, for Cumberland county, Mr. John Butler and Mr. William Tate, for Orange county, Mr. James Council and Mr. Nathaniel Richardson, for Bladen county, Mr. Jeduthan Harper, Mial Scurlock and John Thompson, for Chatham county.



*Resolved*, That the commissioners for the county of Cumberland dispose of the estate of Archibald McArthur, deceased, late insurgent of said county, for six months credit, the purchasers giving bond with approved security for the same; and that they make report to the next Congress.

*Resolved*, That Mr. James Coor, Mr. William Alston, Mr. Hunt, Mr. Lock, Mr. Webb, Mr. Pfifer, Mr. Rutherford, Mr. John Campbell, Mr. Bradford, Mr. Caswell, Mr. Benbury and Mr. G. Hill, be a committee to regulate the militia.

*Resolved*, That Mr. Hunt, Mr. Lock and Mr. Person be a committee to take an inventory of the effects of the Tories in the possession of Colonel Long.

The Congress adjourned till to-morrow morning, nine o'clock.

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THURSDAY, MAY 2, 1776.

The Congress met according to adjournment.

Mr. John Simpson, one of the Delegates for the county of Pitt, and Mr. Thomas Hunter, one of the Delegates for Chowan county, appeared, subscribed the Test; and took their seats in Congress.

Mr. Nathan Boddie has leave of absence.

*Resolved*, That provisions and ammunition be immediately sent from this place to General Moore at Wilmington, and that Col. Long and Mr. Benjamin McCulloch be appointed to carry this order into execution.

*Resolved*, That the commanding officers of the several battalions issue immediate orders to their several recruiting officers to march their recruits as fast as they shall enlist, and be properly armed; to join General Moore at Head Quarters; and that they march under the command of such officer of the company as can be best spared; and that the officers and soldiers belonging to the 2d battalion, who may be absent on furlow, do immediately join their battalion, and march to join General Moore at Wilmington.

*Resolved*, That ten pieces of the double fortified six pounders now lying at Newbern, belonging to the Province of South Carolina, and also any field pieces which may be there, be immediately sent off to General Moore's Head Quarters on Cape Fear river; and that Col. Long and Mr. Benjamin McCulloch be appointed to see the same done.

*Resolved*, That John Webb, Esq. be added to the commissioners for procuring arms in Halifax county, and that he immediately purchase all such as may be serviceable to the army that may be for sale; and that Col. Long collect all the arms which may have been taken from the Regulators and Tories, and hold them ready to be delivered to new recruits, as the officers may apply for them.

*Resolved*, That the Chairman of the Committee of Newbern cause the ten pieces of cannon ordered to be sent to Wilmington, to be delivered to the order of Col. Long & Mr. Benjamin McCulloch, and also any field pieces which may be there; and that the Chairman receive from Col. Long, or his order, such provisions as he may have occasion to leave at Newbern, till further orders.

*Ordered*, That Robert Goodloe, Joseph Shearing and Benjamin Seawell be added to the commissioners appointed to receive, procure, and purchase fire arms.

*Resolved*, That the arms, camp kettles, and camp equipage, purchased by Mr. Charles Jacocks for this Province, be immediately delivered to



Lieutenant Jacob Pollock, of Col. Thomas Polk's Regiment, as the new raised recruits are under marching orders to join General Moore at Cape Fear, Mr. Jacocks taking Lieutenant Pollock's receipt for the same.

Mr. Charles McLean and Mr. James Johnston, two of the members from Tryon county, appeared and took their seats.

Mr. Thomas Respiss has leave of absence.

Pursuant to a resolve of this Congress, Mr. President returned Brigadier General Howe the following thanks:

BRIGADIER GENERAL HOWE.

SIR,

I am commanded by the Congress to return you their thanks for your manly, generous and warlike conduct in these unhappy times, more especially for the reputation our troops acquired under your command.

I now, with infinite pleasure to myself, in compliance with that command, return you the thanks of this House, for the important services rendered by you to the common cause; and in particular for your manly and officer-like exertions during the whole of the late dangerous, important, and critical campaign.

*To which the General returned the following answer, viz.*

MR. PRESIDENT,

As I have no wish so ardent, no ambition so strong, as that of serving the noble cause to which I have devoted myself, how happy must it make me, when to the pleasing consciousness of having endeavored to do my duty, you so politely add the approbation of my country. It is an heart felt and honourable testimony that my efforts have not been wholly unsuccessful, and my felicity upon this occasion can only be increased by considering that I have this public opportunity of expressing the obligations I feel to be due to those officers and men of every corps under my command, whose ready acceptance, and spirited execution of the orders issued, have obtained me the distinguishing honors of this day. Permit me, Sir, through you, to assure the honorable Convention, that I have the most grateful sense of their favour, and that I conceive the best return I can make, is with zeal and activity to pursue the dictates of my duty; in which resolution I cannot but persevere, as the good of my country is the end I aim at, and its applause the consequence and reward of promoting it. Accept, Sir, my thanks for the manner in which you have so obligingly conveyed to me the sense of your honorable House.

*Ordered,* That James Burnside, now on parole at Halifax, be discharged from the same.

The Congress adjourned till to-morrow morning, nine o'clock.

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FRIDAY, MAY 3, 1776.

The Congress met according to adjournment.

*Ordered,* That the parole of Robert Acheson, Midshipman of the Syren, now within the limits of the town of Halifax, be extended five miles without the limits of the same.



*Resolved*, That Thomas Alderson be appointed Ensign in Captain Simon Alderson's company of the regulars in this Province, in the room of James McKinnie.

*Resolved*, That Christopher Lacky be appointed second Lieutenant in Capt. John Enloe's Company of the 5th Regiment in this Province, in the room of \_\_\_\_\_ who refuses to act.

*Resolved*, That the members of this and all future Congresses shall be allowed 10 s. per day for their attendance on the same, and their ferriages and travelling to, and returning home from said Congresses.

*Resolved*, That 100 l. be granted towards finishing the Fort at Hanging Point on Neuse river, and that the said Fort be garrisoned by a Captain and 24 men.

*Resolved*, That John Daly be appointed Captain and commander of the said Fort.

*Resolved*, That the said John Daly be appointed Commissary to the troops to be garrisoned at Hanging Point.

*Resolved*, That the three Southern Independent Companies ordered to be raised in this Province, shall consist of no more privates than 60.

*Resolved*, That Micajah Little be appointed second Lieutenant in Capt. William Brinkly's Company of the 3d Regiment, in the room of Christopher Lakey, removed to Capt. Enloe's Company in the 5th Regiment.

*Resolved*, That Col. Long be requested to receive his Excellency General Lee at the line of this Colony, with a proper detachment of troops, and escort him to Halifax.

*Resolved*, That the proceedings of the Provincial Council be taken under consideration to-morrow.

Mr. Hancock and Mr. Hogun have leave of absence.

*Resolved*, That the commissioners for purchasing guns in the counties of Orange and Granville, be impowered to purchase drums and fifes for the Regiments ordered to be raised.

*Resolved*, That 1500 privates of the militia, under proper officers, be immediately drafted from the districts of Edenton, Newbern, Halifax and Wilmington, in the following manner, and march as quick as possible to Wilmington, on Cape Fear, for the protection of this Province, to wit:

Wilmington District incorporated into six Companies: From New Hanover 63, Onslow 63, Duplin 63, Brunswick 60, Bladen 63, Cumberland 63.

Newbern District into seven Companies: From Dobbs 113, Craven 122, Johnston 50, Pitt 50, Beaufort 25, and Hyde 25, in one Company.

Edenton District into seven Companies: From Bertie 50, Martin 50, Tyrrell 50, Hertford 50, Chowan 50, Perquimons 50, Pasquotank 75.

Halifax District into seven Companies: From Halifax 100, Edgecomb 100, Bute 100, Northampton 75.

*Resolved*, That the said militia shall be divided into two battalions, and that Thomas Brown, Colonel, James Armstrong, Lieutenant Col. and James Moore, of Duplin, Major, be appointed to command that part of the militia to be drafted from the District of Newbern and Wilmington; and that Philemon Hawkins, jun. Colonel, Peter Dauge, Lieut. Col. and Dury Gee, Major, be appointed to command that part of the militia to be drafted from the District of Edenton and Halifax.

Whereas it appears from a paper signed by Abraham Childers, Cornet in



the first troop of Light Horse commanded by Capt. Dickerson, that he had taken seven new rifle guns, with their moulds and wipers, from Arthur Moore, of the county of Orange, for the use of the Continental army; *Resolved*, That the said Abraham Childers has acted without authority, and with violence, evil in its example, and dangerous to the security of private property; wherefore it is *Ordered*, That the said Capt. Dickerson be required to bring the said Abraham Childers before this House forthwith, to answer for the said misbehaviour, and that the said Capt. Dickerson cause the said guns to be restored to the said Arthur Moore.

*Resolved*, That the vacancies in the second Regiment of Continental troops raised in this Province be filled up, and the following persons appointed, viz.

James Gee, Captain, in the room of Capt. Irwin Toole, who has resigned, and that he rank as 5th Captain. John Heritage, Captain, in the room of Capt. Simon Bright, resigned, and that he rank as 6th Captain. Philip Lowe, first Lieutenant of Capt. John Heritage's Company. Joseph Worth, Robert Fenner, Thomas Standings, James Martin, Clement Nash, John Ingles, second Lieutenants. John Craddock, Manlove Tarrant, Samuel Smith, and William Tocksey, Ensigns. John Ingles appointed Adjutant to the second Regiment.

*Prisoners, and Places of Destination.*

Peter Hay, bail 500 l. Robert Gillis, do. 500 l. William Gibbs, enlarged, and to give security to the committee of Onslow county in the sum of 500 l. Conner Dowd, bail 1000 l. William Bourke, parole to Northampton, Darcy Fowler to Duplin, Alexander McLean to Granville, Frazier to Halifax, Thomas Collins to Halifax, William Draper to Bertie, William Clarke to Nixonton, John Doak to Orange, with leave of one month to remove his effects from Cumberland. Duncan McNiell, bail. Angus Campbell, parole in Guilford, under the care of the Rev. James Campbell, with leave of 14 days to remove his effects. Alexander Stewart, parole to Granville. James Lowe and Robert Adams, who shot Capt. Dent, to Halifax gaol. George Micklejohn, parole in Perquimons, in that part of said county on the south side of the river, with leave of 14 days to prepare himself. James Hunter, parole in Bute. George Mylne, bail 2000 l.

The Congress adjourned till to-morrow morning, nine o'clock.



SATURDAY, MAY 4, 1776.

The Congress met according to adjournment.

*Ordered*, That Col. Long deliver to Mr. Henry Giffard a certain horse belonging to him, which Cudrick McDonald rode to Halifax, with a saddle and bridle.

*Ordered*, That Mr. Samuel Ashe, Mr. Parmele, Mr. Burges, Mr. Gee, Mr. Penn, and Mr. Hooper, be added to the committee of Enquiry.

*Ordered*, That Robert Adams, a prisoner now in Halifax gaol, be enlarged, on his giving security, in the sum of 50 l. for his good behaviour.

Mr. Solomon Sheppard has leave of absence.

*Ordered*, That Alexander McLean have leave to take his horse, bridle, and saddle, now in the possession of Col. Long.

The committee appointed to take under consideration the better regulation of the militia of this Province, reported as follows:



Having weighed and duly considered the critical and dangerous situation we are in, and that open hostilities are commenced against us at one and the same time by our implacable enemies, and their adherents, at every place assailable, are of opinion, that for the better and more effectual defence and protection of the Colony, the militia thereof shall be divided into six brigades, viz. one in each district, each brigade to be under the command of a Brigadier General.

That the militia of every county shall consist of all the effective men from 16 to 60 years of age, and shall be formed into one regiment, under the command of a Colonel, Lieutenant Colonel, and two Majors, except where the Congress have or may appoint two or more regiments in a county, in which case such regiment shall be commanded agreeable to the particular appointment. Every regiment shall be divided into companies of not less than 50 rank and file, two serjeants, two corporals, one drummer, and one fifer; each company to be under the command of a Captain, Lieutenant and Ensign. That every company shall be divided into five divisions, one division to consist of all the more aged and infirm men, the other four divisions shall draw lots for the 1st, 2d, 3d and 4th turns to go on service, and shall be numbered according to such lots.

*Resolved*, That the foregoing arrangement shall immediately upon notice hereof be made in every county in this Colony by the field and subaltern officers, each in his respective department. That every Captain immediately upon such arrangement, afterwards every six months, shall return a muster roll of his company divided into divisions, and numbered as aforesaid, to the commanding officer of the regiment, under pain of forfeiting 5 l. for every default; and the commanding officers of each regiment shall make an exact return from such lists, within one week after he shall have received the same, to the Brigadier General of the district, under pain of forfeiting 50 l. for every default.

That the commanding officer of every regiment shall, whenever required thereto by the Brigadier General of his district, order a general muster at the most convenient place in his regiment, under pain of forfeiting 50 l. for every default, provided that he shall not call them together more than twice in one year; and every Captain shall muster and train his company, divided into divisions as before directed, once in every month at least, and oftener if directed by the commanding officer, under pain of forfeiting 40 s. for every default. And every soldier who shall neglect or refuse to attend the general and private musters, shall be subject to such penalties and forfeitures as are provided by the militia laws in force in this Province. That the Brigadier Generals respectively shall return one exact muster roll of all the officers and soldiers of their respective brigades, distinguished into their proper companies and divisions, to the executive power which shall be established, once every year, and oftener if required, under penalty of 100 l. for every default.

*Resolved*, That the field officers of every regiment be empowered to employ one or more Adjutant or Adjutants to train and discipline the men, who shall attend every general and private muster for that purpose; and every such Adjutant shall be allowed 10 s. for every muster he shall so attend.

*Resolved*, That each militia soldier shall be furnished with a good gun, bayonet, cartouch box, shot bag and powder horn, a cutlass or tomahawk;



and where any person shall appear to the field officers not possessed of sufficient property to afford such arms and accoutrements, the same shall be procured at the public expence, and given to such person upon every muster day, and when he shall be ordered to march; and whenever the service of mustering or marching shall be concluded, the said arms and accoutrements shall be restored to the Captain of the company, and by him carefully preserved for future occasions; and whenever the militia shall be called into actual service, they shall be allowed as follows, viz. One baggage waggon, or two carts, to every fifty men; ammunition waggons to every brigade, at the discretion of the Brigadier General; the same rations to men and officers as allowed to the Continental army, to be supplied by Commissaries appointed by the Brigadiers, which said Commissaries shall be allowed waggons, or carts in proportion, to carry the provisions; one bell tent to every company; all necessary intrenching tools; six axes to every company; one baggage waggon for the officers of every regiment; a necessary number of camp kettles; and the pay for officers shall be as established by act of Assembly, and soldiers 2 s. 6 d. for each day while in service.

*Resolved*, That every Brigadier General shall be allowed the sum of four dollars for every day he shall be in actual service, and a waggon for baggage and stores; that the commanding officer of every regiment shall return an account of all expences, disbursements and pay, appertaining to the said regiment, and shall produce as vouchers for such account the accounts rendered on oath of the Captain of the respective companies, and other persons expending or disbursing for said regiment.

*Resolved*, That there shall be ten Light Horsemen, and no more, to every regiment, to be arrayed in one or more companies when they shall have joined the brigade, at the discretion of the Brigadier General.

*Resolved*, That no officer or soldier in the militia service shall be tried for any offence against the militia law or the Articles of War, except by a Court Martial, to consist only of militia officers.

*Resolved*, That no brigade, regiment, company or division of militia shall be under command of any but militia officers, except when such militia shall be ordered by the civil power to join the Continental troops; in which case, the Continental officer of equal, and the militia officer of superior denomination, shall command.

*Resolved*, That such divisions as shall at any time be called into service, shall be formed into companies of 50 men each, with a proportioned number of officers, Serjeants, Corporals, Fifers and Drummers, and all the officers of each regiment shall agree among themselves concerning which shall command on actual service; but if they cannot so agree, the commanding officer shall cause lots to be drawn, and the officer on whom such lot shall fall, shall command in their proper rank and department.

*Resolved*, That all persons (except such as have or do bear appointments or commissions under the authority of the General and Provincial Congresses, Justices of the Peace, Ministers of some Church regularly called, and having the cure of souls, overseers of slaves exceeding five taxables in number, schoolmasters, millers and ferry keepers) shall be liable to be drafted; and all persons so drafted shall be obliged to serve, or find an able bodied man in his room, under the penalty of 10 l.

*Resolved*, That all the militia laws heretofore in force in this Colony, and not repealed, expired, or discontinued, shall be in force hereafter; ex-



cept where other provision is made by the resolves of this Congress, or some future legislative authority.

The Congress taking the said report into consideration, concurred therewith.

*Resolved*, That the commanding officers of the brigades of Halifax, Edenton, Newbern and Wilmington be ordered to detach from their respective brigades the number of men voted by this Congress by a resolve of the 2d of May instant, to reinforce Brigadier General Moore at Cape Fear, agreeable to the said resolve, and the resolves for regulating the militia entered into this day.

*Resolved*, That John Ashe, Esq. be appointed Brigadier General of the militia for the district of Wilmington, Allen Jones, Esq. for the district of Halifax, Edward Vail, Esq. for the district of Edenton, Griffith Rutherford, Esq. for the district of Salisbury, Thomas Person, Esq. for the district of Hillsborough, and William Bryan, Esq. for the district of Newbern.

*Resolved*, That each of the Brigadier Generals shall take rank in their respective districts.

*Resolved*, That Thomas Armstrong be appointed first Lieutenant in Captain John Enloe's company of the American army of the 5th regiment, in the room of George Sugg; and John Hodges Ensign, in the room of Shadrach Wooten.

The Congress adjourned till Monday morning, nine o'clock.

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MONDAY, MAY 6, 1776.

The Congress met according to adjournment.

The Secret committee laid before the House extracts of a letter from General Moore, and an affidavit respecting the enemies situation.

*Ordered*, That the said committee transmit to Major General Lee copies of said letter and affidavit, and give him such further accounts of the number of militia ordered by this Congress to join General Moore, and the time, as near as they can ascertain, of their junction.

*Ordered*, That the Secretary immediately furnish each of the Brigadier Generals with a copy of the resolves of this Congress for regulating the militia, and that the Brigadier General shall immediately issue orders to the commanders of the respective regiments belonging to their brigades to carry the same into effect with all possible expedition; and that the Generals of the brigades of Halifax, Edenton, Newbern and Wilmington hasten by every possible expedition the march of the reinforcements ordered to join General Moore; and that Brigadier General Ashe be ordered to take command of the said reinforcements upon their arrival in his district, subject to the provisions of the militia regulations entered into by this Congress.

*Resolved*, That if the Brigadier General of any brigade shall at any time refuse, neglect or delay to obey the orders of the Congress, or any power by them appointed, to array and controul the militia, and shall be convicted thereof by sentence of a Court Martial, he shall forfeit and pay 500 l. to the use of this Province, to be disposed of by the Congress thereof; and shall be liable to such further punishment as shall be adjudged by a Court Martial, such sentence of further punishment to be suspended until the sense of the Congress shall be taken thereon.



*Resolved*, That Christopher Lackey be reinstated second Lieutenant in Capt. William Brinkly's company of the American army in this Province, of the 3d regiment; and Micajah Little, lately appointed in Capt. Brinkly's company, second Lieutenant in Capt. John Enloe's company of the American army, in the 5th regiment.

*Resolved*, That Mr. Miller, Mr. Caswell, Mr. William Johnston, Mr. Penn, Mr. Samuel Ashe and Mr. Simpson be a committee to consider the claims of William Kennan, Commissary of the troops at Cape Fear; and also to enquire into what provisions have been purchased on the public account, and the most eligible method of disposing thereof.

*Resolved*, That Isaac Gregory and Abner Harrison, Esqrs. of Pasquotank county, and William Ferreby, of Currituck county, or any two of them, take into their possession the plantation or plantations the property of Thomas Macknight, and also of James Parker, and the same hire out for the most that can be got for them for the ensuing year, and that they take care of all utensils thereon.

On the petition of Henry Bennet and John Foscue, complaining that they have been long imprisoned, and no probability of any witness appearing against them, *Resolved*, That they be admitted to bail.

*Resolved*, That Mr. Caswell, Mr. Thomas Jones and Mr. Coor be a committee to enquire what sum of money will be sufficient to carry on the military establishment for one year, with the disbursements necessarily accruing thereon, and report an estimate thereof to the Congress.

Mr. Joseph Jones, one of the members for Pasquotank county, appeared; subscribed the Test, and took his seat in Congress.

The committee appointed to enquire into the most practicable way of procuring and purifying sulphur, &c. reported as follows:

That they have been informed there is a large quantity of virgin or fossil sulphur at or near the mouth of Little River, in the upper part of Dobbs county, and in the county of Bladen, at or near Peter Lord's, as well as in several other places in the Province; also that there is a large quantity of lead ore in the lower part of Johnston county, at or near the plantation of Capt. Nathan Williams, and that lead may be procured at Chiswell's mines, in the Colony of Virginia. Your committee therefore recommend that George Miller, John Sasser and Benjamin Exum, of Dobbs county, and James Council, Thomas Robinson and Joseph Cain, of Bladen county, be impowered to contract with persons to procure and purify, at the public expence, such sulphur as may be had or found within this Province, which contract to be obligatory on the Province; and that the said George Miller, John Sasser, Benjamin Exum, James Council, Thomas Robinson and Joseph Cain, or any three of them, draw on the Treasurers, or either of them, for such sums of money as may be necessary for the above purposes, so that the same does not exceed 1000 l. And as lead ore cannot be procured and purified as soon as it may be wanted, your committee further recommend that Hugh Montgomery and Matthew Lock, Esqrs. be impowered to treat as soon as possible with any person or persons in this Province, or the Colony of Virginia, for any quantity of lead, not exceeding 20 tons; and having so contracted, to provide ways and means for the transporting the same to the following places, to wit: Two tons to Salisbury, two tons to Hillsborough, and the remainder to Johnston Court House; and that the Treasurers, or either of them, be impowered to draw on the Continental



Treasury for such sums of money as may be necessary for purchasing the said lead; and that the said Hugh Montgomery and Matthew Lock be allowed a reasonable sum for their trouble and expence, to be paid by the public.

The House taking the same into consideration, concurred therewith.

It appearing to the Congress that Thomas Jones, Esq. rendered this country very important and essential services in prosecuting suits in behalf of the Crown, therefore *Resolved*, That the said Thomas Jones, Esq. be allowed 75 l. for prosecuting divers criminals in behalf of the Crown at three Courts of Oyer and Terminer held at Edenton, to wit: One in July, 1774, one in January, 1775, and another in July, 1775; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That William Amis be appointed Commissary to the third regiment of the American army to be raised in this Province, in the room of John Webb, resigned.

*Resolved*, That Mr. Miller, Mr. William Johnston and Mr. Simpson be added to the committee of Civil Accounts.

The Congress adjourned till to-morrow morning, nine o'clock.



TUESDAY, MAY 7, 1776.

The Congress met according to adjournment.

Whereas the commanding officers in the late expedition against the Tories thought proper, for the benefit of the service, to cause to be cut down and destroyed sundry bridges in the counties of Duplin and Bladen, and it appearing to the House that it will be burthensome to the inhabitants of those counties to be at the sole expence of rebuilding such bridges; therefore *Resolved*, That when it shall appear to be necessary and expedient to rebuild such bridges, the expence thereof shall be paid by the public.

Mr. James Williams exhibited his account for acting as attorney for the Crown at five Courts of Oyer and Terminer held in this Province, from the 10th of June, 1774, to the 10th of June, 1775.

*Resolved*, That the said James Williams be allowed the sum of 50 l. for prosecuting in behalf of the Crown in the said Courts of Oyer and Terminer; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That Mr. Ebenezer Folsome be allowed 100 l. for his vigilance, and the important services rendered this country in the late insurrection, the Congress considering the said sum not as an adequate reward for his spirit and activity, but as a mark of his country's confidence and approbation; that the Treasurers, or either of them, pay him the same.

*Resolved*, That Mr. Nash, Mr. Burke, Mr. Ashe, Mr. Whitmell Hill and Mr. Coor be a committee to enquire of ways and means the most probable to prevent the desertion of slaves.

*Resolved*, That 100 Light Cavalry, and 200 Infantry, be ordered immediately to Cross Creek, to be under the command of Lieutenant Colonel Folsome, until further orders.

That the said horsemen be immediately raised from the militia in Cumberland, and the adjacent counties, who will voluntarily serve; and the footmen be drafted from the brigades of Salisbury and Hillsborough, by e-



qual proportions from each regiment, unless a sufficient number will immediately enter the service as volunteers.

*Ordered*, That two sets of blank commissions issue for the companies of Light Horse, to be filled up by Col. Folsome.

*Resolved*, That 2000 l. be paid into the hands of the delegates for the county of Bladen, and by them paid to the officers and soldiers of the militia of said county now in service of the Province, in part of their pay, who have not had time to lay their accounts before the public; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public; and that the said delegates give bond and security to account for the same.

*Resolved*, That 1500 l. be paid into the hands of the delegates for the county of Duplin, and by them paid to the officers and soldiers of the militia of said county now in service of the Province, in part of their wages for their services on the late expedition to Cape Fear; that the Treasurers, or either of them, pay the same, and be allowed in their accounts; and that the said delegates give bond with security to account for the same.

*Resolved*, That 850 wt. of powder be sent to the district of Salisbury, to the care of the Brigadier General of that district.

*Resolved*, That 400 wt. of powder be sent to the district of Hillsborough, to the care of the Brigadier General of that district.

*Resolved*, That the field officers in every battalion of the Continental troops be impowered to employ an armourer for such battalion, and that such armourer be allowed the pay of one dollar and a quarter of a dollar per day, and one ration.

*Resolved*, That Ebenezer Folsome be appointed Colonel of the militia in the county of Cumberland, in the room of Alexander McAlister, resigned, David Smith, Lieutenant Colonel, Philip Alston, 1st Major, and John Armstrong, 2d Major, in the same county.

*Resolved*, That Mr. Burke, Mr. Webb and Mr. Penn be a committee to report on Mr. Cooper's petition.

*Resolved*, That William Rand take into his possession, wherever they may be found, all the records and papers belonging and appertaining to the clerk and register's offices in the county of Cumberland.

*Ordered*, That Col. Long deliver to William Jones, who lately came express to this Congress, one of the Tory horses in his possession.

*Resolved*, That the managers of the furnace directed to be hired in Chatham county, or purchased in Guilford county, for the public use, take under care for that service the whole of the Negroes lately brought by order of the Congress from the counties of Pasquotank and Currituck, belonging to the estates of Thomas Macknight, James Parker and Robert Gilmore, and make the best of them in that employment for the benefit of the public; and that the commissioners render to next Congress a disposition of such slaves, with an account of expenditures, upon oath; and that the commissioners give a receipt for such Negroes.

*Resolved*, That William Glover be appointed Captain in the 6th regiment of foot of the American army to be raised in this Province, in the room of Jesse Saunders, resigned; and John Owens, 1st Lieut. in the room of William Glover, advanced; John Hart, 2d Lieutenant, in the room of Pleasant Henderson, resigned; and Kedar Parker, in the room of Thomas



Grant, resigned; all of the 6th regiment, in Capt. William Glover's company.

The Congress adjourned till to-morrow morning, nine o'clock.

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WEDNESDAY, MAY 8, 1776.

The Congress met according to adjournment.

*Resolved*, That each of the late Paymasters to the troops in this Province be allowed two and a half per cent. on all monies received and paid away to such troops, as a compensation for their trouble and expences.

*Resolved*, That Henry Giffard be appointed Commissary to the militia to be stationed at Cross Creek.

*Resolved*, That Chapel Gee be appointed Commissary to the militia for the district of Halifax, and that either of the Treasurers pay him 200 l. to enable him to purchase provisions for the present, he first entering into bond to account for the same, and be allowed in their accounts with the public.

On motion, *Resolved*, That Mr. Council, Mr. Burke, Mr. Rutherford and Mr. Lock be a committee to enquire concerning the salt taken on account of the public at Cross Creek, and make report.

*Resolved*, That the present Paymaster pay up all back arrears due to the two first regiments in this Province.

The committee to enquire of ways and means the most probable to prevent the desertion of slaves, reported as follows, to wit:

Your committee report, that in their opinion it is expedient to recommend it to all masters and owners of slaves on the south side of Cape Fear River to remove such male slaves as are capable of bearing arms, or otherwise assisting the enemy, into the country, remote from the Sea; and that the commanding officer on that station be impowered to remove all such slaves as are above described to such distance as he shall think safe, in case he perceives a necessity for such movement, and that the recommendation here suggested should not be properly attended to.

The Congress taking the same into consideration, concurred therewith.

The committee for taking into consideration the petition of Wills Cooper, reported as follows:

That it appears to them that the said Benjamin Arundel is indebted to the petitioner 184 l. 10 s. 9 d. Virginia money, balance of a bond, with interest from the 22d of October, 1774, and also 59 l. 6 s. 2 d. like money, balance of an account; that the said Benjamin Arundel has absconded from this Colony, and left some property in the county of Wake; that the petitioner's prayer to be allowed some remedy for securing the said effects from being removed or wasted, is reasonable; and your committee humbly recommend that trustees be appointed to take the same into their care, that they may be preserved for payment of the petitioner, and any other creditors of the said Benjamin Arundel, who shall establish their claims in such manner as shall be provided by any ordinance in this Colony. Provided nevertheless, that the said Benjamin Arundel be at liberty to replevy any part of his estate so seized or taken, on his giving bond and approved security to trustees for the payment of all debts that shall be adjudged against him, and accruing costs.

The House taking the same into consideration, concurred therewith.

*Resolved*, That Michael Rogers and John Hinton, jun. be appointed



trustees to take into their possession the estate of the said Benjamin Arundel, and preserve the same till further orders from this Congress.

*Resolved*, That Mr. John Webb, heretofore appointed to purchase arms for this Province, do deliver all the arms by him purchased to Col. Jethro Sumner, for the use of the soldiers of the 3d regiment under his command, and that Mr. Webb take Col. Sumner's receipt for the same.

*Resolved*, That Edward Yarbrough be appointed Ensign in Capt. Jacob Turner's company of Foot in the American army, of the 3d regiment, in the room of Benjamin Morgan, resigned.

*Resolved*, That the Treasurers, or either of them, pay into the hands of William Kennon, Esquire, Commissary to the 1st regiment, 2000 l. that he enter into bond with security faithfully to account for the same, and be allowed in their accounts with the public.

The chairman of the committee of Claims reported that Col. Joseph Taylor was allowed 662 l. 4 s. 2 d. for the services of the Granville regiment of militia; Col. Charles Eaton, 169 l. 6 s. 9 d. for services of the Granville Light Horse; Bennet Crafton, 23 l. 12 s. for services as Adjutant of the militia in Granville county; and Peter Dauge, 84 l. 8 s. 6 d. for bringing up Macknight's Negroes, and for handcuffs.

The House considering the same, concurred therewith.

The Congress adjourned till to-morrow morning, nine o'clock.

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THURSDAY, MAY 9, 1776.

The Congress met according to adjournment.

Mr. Samuel Smith, one of the delegates for the county of Johnston, appeared, subscribed the Test, and took his seat in Congress.

The chairman of the committee of Claims reported that Philemon Hawkins was allowed for the services of his regiment of militia on late Currituck expedition, and against the insurgents, the sum of 332 l. 2 s. 7 d.

The House considering the same, concurred therewith.

*Resolved*, That Mr. John Campbell, Mr. John Cowper, Mr. William Johnston, Mr. Joseph Jones, Mr. George Miller, Mr. Richard Caswell and Mr. Thomas Jones, be a committee to examine the invoices and papers laid before this House by Mr. John W. Stanly, and make report thereon.

The committee to enquire concerning the salt taken on account of the public at Cross creek, reported as follows: Your committee having considered the matter referred to them, are of opinion that the proprietors ought to be allowed 6 s. 8 d. for each bushel of the salt taken at Cross creek on the public account, which opinion is humbly submitted to the Congress.

The House considering the same, concurred therewith.

*Resolved*, That 1500 l. be paid into the hands of the Delegates for the county of Mecklenburg, and by them paid to the officers and soldiers of the militia of said county, now in service of the Province, in part of their pay, who have not had time to lay their accounts before the public; that the Treasurers, or either of them, pay them the same, and be allowed in their accounts with the public; and that the said Delegates give bond and security to account for the same.

Abraham Childers was brought before this Congress, pursuant to a former order, who was examined and discharged.

*Resolved*, That Arthur Moore, of Orange county, be allowed 56 l. for seven rifle guns which Cornet Abraham Childers purchased of him for the



use of the light dragoons under the command of Capt. Dickerson; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That James McKinnie be reinstated Ensign in Simon Alderson's company in the 5th regiment of the American army, in the room of Thomas Alderson, lately appointed by this Congress.

*Resolved*, That Mr. Caswell, Mr. Thomas Jones, Mr. Burke, Mr. Lock, and Mr. Rutherford, be a committee to prepare and bring in a plan for the more conveniently paying the militia who have or may serve in this Colony, and for adjudging and paying all expences incident to the militia when in actual service.

*Resolved*, That a committee of the whole House be appointed to examine the proceedings of the late Provincial Council, to meet at the Court-House as soon as this House rises, and that such members attend as can conveniently.

*Resolved*, That an artillery company, to consist of 50 men (officers excluded) be raised in this Province, under the command of Capt. John Vance, and ordered immediately to join General Moore; and that James Bradly be appointed 1st Lieutenant, John Allen 2d Lieutenant, and John Kingsberry Ensign; and that the officers and privates of that company be allowed the same pay as allowed in the artillery service on the Continental establishment, and also the same allowance, bounty, and advance, as other troops raised in this Province.

*Resolved*, That Allen Jones and Thomas Jones, Esquires, two of the delegates of this Congress, be appointed to attend the Convention of the Colony of Virginia, for the purpose of recommending to them the expediency of fitting out two armed vessels at the expence of that Colony, to act in conjunction with the armed vessels already fitted out by this Colony, for the protection of the trade at Occacock; and that they be allowed 30 s. per day while on that service, and that the Treasurers, or either of them, advance 40 l. to each, to be afterwards accounted for.

*Resolved*, That Mr. Thomas Jones, Mr. Joseph Jones, and Mr. Thomas Boyd, be a committee to enquire into the proofs of the necessity of placing the estate of Robert Murden into the hands of commissioners, for the purpose of securing his creditors, the said Robert Murden being said to have absconded this Colony, and joined Lord Dunmore, and make report thereof.

*Resolved*, That the sum of 500,000 l. (including 100,000 l. already voted) be emitted in paper bills of credit, for the purpose of defraying all the expences of armaments, bounties, and other contingencies, that shall occur in this Colony during the recess of the Congress; and that the bills for the additional 400,000 l. be of the following denomination, viz.

5000 bills, of 20 dolls. each,	100000	20000 bills, of 3 dolls. each,	60000
5000 do.      15 do.	75000	20000 do.      2 do.	40000
10000 do.      5 do.	50000	40000 do.      1 do.	40000
20000 do.      10 do.	200000	80000 do.      1-2 do.	40000
20000 do.      8 do.	160000	80000 do.      1-4 do.	20000
20000 do.      6 do.	120000	80000 do.      1-8 do.	10000
20000 do.      4 do.]	80000	80000 do.      1-16 do.	5000

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500000 bills.                      dollars 1000000  
£400000



*Resolved*, That this Province be pledged for the redemption of the said bills of credit by a poll tax, to commence in the year 1780, and continue for 20 years afterwards, unless otherwise provided by some future Congress, or competent power in this Colony.

*Resolved*, That any person or persons who shall attempt to depreciate the said bills of credit, by refusing to receive the same in payment of any debt or contract, or by speaking or writing with intention to lessen their credit and currency, shall be considered as inimical to America; and that any person or persons who shall counterfeit, alter, or deface, or directly or indirectly utter, pass, pay or circulate, any bill or bills, counterfeited, altered, or defaced, knowing the same to be so, shall be liable to such proceedings and penalties as are provided by a resolve of the Congress held at Hillsborough on the 21st day of August, 1775, for preventing the like abuse with relation to bills of credit emitted by the said Congress.

*Resolved*, That Thomas Benbury, John Kinchen, John Johnston, and Memucan Hunt, Esqrs. or the survivor or survivors of them, be commissioners for employing proper persons to engrave the plates for the said bills, under the same regulations as are directed by a resolve of this Congress, passed on the 22d of April last; and that William Haywood, John Webb, William Williams, and David Sumner, Esqrs. be commissioners for the purpose of signing the said bills of credit, under the like regulations as provided by the resolve aforesaid.

The Congress adjourned till to-morrow morning, nine o'clock.

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FRIDAY, MAY 10, 1776.

The Congress met according to adjournment.

*Resolved*, That Capt. John Chace be allowed the further sum of 30 l. for gunpowder received from him by the committee of Perquimons county; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That the executors or administrators of Joseph Montfort, Esq. deceased, late Treasurer, be directed to appear at the sitting of the next Congress, to adjust and settle his account with the public.

*Resolved*, That Charles Maloy, Colin Campbell, and James McEachen, be allowed 6 l. each, for their attendance as evidences at this Congress against sundry persons suspected of being inimical to the rights of America.

Whereas it is represented to this Congress that the militia service will be greatly delayed in the county of Pasquotank, unless advance money be paid to such as are induced into the army, arising from the necessity the inhabitants of the said county were under in the purchase of corn, and other provisions, the same being almost totally destroyed by a storm on the 2d day of September last, the notoriety of which this Congress being sensible of; *do resolve*, That the sum of 40 s. be advanced to each of the militia of Pasquotank, who shall either enter the service as volunteers, or are drafted, to reinforce the army under the general officer of the Colony; and that the Treasurer pay to the delegates of the said county the sum of 150 l. to be delivered to Col. Peter Dauge, to be advanced to the soldiers now to be raised, who shall on the receipt thereof give bond, with good security, for the due application of the said money, to answer the purpose of this resolution.



*Resolved*, That no officer or soldier of the militia or regulars in this Colony shall press any waggon or waggons, horse or horses, arms, or other things, of any nature whatsoever, unless authorized thereto by warrants, under the hands and seals of two of the members of the committee of the town or county where such press shall be necessary, which committee members shall not be themselves officers; and every officer or soldier, before he shall presume to press any thing as before mentioned, shall demand the same peaceably from the owner or possessor thereof, and in case of refusal, shall produce the warrant aforesaid before he proceeds to press. And every officer or soldier who shall offend against this resolve, shall forfeit and pay 10 l. for every such offence to the person injured, and be moreover liable to the action or actions of the party grieved, to be recovered before any jurisdiction which shall have cognizance thereof; and every horse, waggon, or thing, so pressed, shall be valued by three indifferent persons, upon oath, and certificate thereof given by such valuers to the owner or possessor from whom the same shall be pressed, in order that if the same shall not be restored to such owner or possessor, he may be allowed the valuation by the public.

*Resolved*, That the above resolve be published in all the gazettes of this Province for three months.

*Resolved*, That Nathaniel Rochester, Esq. be appointed Deputy Commissary General of military and other stores in this Colony for the use of the Continental army, and that he be allowed the same allowance as provided by the Continental Congress for such officer, and that he give security in 10,000 l. for the faithful discharge of the trust reposed in him.

*Resolved*, That John Pendleton take into his possession a certain negro girl called Nan, he having suggested to this Congress that Mr. Thomas Macknight, who hath absconded this Colony, had only a property to one half of the said negro, and that the property to the other half is in the said John Pendleton, upon his entering into bond, with good security, to his honour the President, in the sum of 140 l. conditioned to be answerable for the value of said negro and her yearly hire, when hereafter demanded, and make his title to the said one half of said negro appear, before such judicature as may hereafter be appointed to determine all such cases.

*Resolved*, That William Heath be allowed 12 l. for a horse pressed from him, and delivered to Capt. Nathaniel Kcais, of the second regiment; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That the commissioners for employing artificers to strike 500,000 l. in bills of credit, be impowered to apply to the delegates of this Colony, or either of them, in the Continental Congress, to purchase paper for the bills of credit voted by this Congress to be emitted, to send the same to this Colony with all possible expedition; and that they, or either of them, apply to the Continental Treasury for the money necessary for such purpose, for and on account of this Colony; and that the said commissioners be also impowered to purchase any paper or other materials necessary for such emission in this or the adjacent Colonies, and that they be allowed all expenditures in this behalf made, to be paid by the Treasurers, or either of them, on being allowed by such power as shall be appointed in the recess of the Congress.

*Resolved*, That the Deputy Commissary General of military and other



Stores, deliver out, in equal proportions, all the osnabrigs, Dutch stripes, romals, check, &c. purchased for the use of the Continental troops raised in this Province, to the Colonels of the respective regiments, taking their receipts for the same.

The committee appointed to examine the invoices and papers laid before the House by Mr. John W. Stanly, report that they have examined the said invoices and papers, whereby it appears to your committee that Mr. Stanly hath charged the public 20 per cent. on 1660 l. 3 s. 7 d. amounting to 332 l. for risk and trouble on the importation of sundry goods and merchandizes in the said invoices mentioned, when in fact the risk was Mess. Isaac Vanbibber and Company's, and a commission charged by Mr. Stanly to them for sales of the said goods; and the allowance of 20 per cent. by the Congress was intended to be made to the adventurer, and of course ought to go to the credit of Vanbibber and Co. which when so applied, and a proper state of the accounts between Mr. Stanly and Mess. Vanbibber and Co. is adverted to, it will be found that a balance of 43 l. 14 s. 7 d. is due from Mr. Stanly to Mess. Vanbibber and Co. after the sum expressed in a note passed by Mr. McKim to Mr. Stanly is deducted, and that he ought in justice to pay them the same.

The House taking the same into consideration, *Resolved*, That the said report be concurred with, and that Mr. James Green, in whose hands the said note was lodged, deliver up the same to Mr. McKim.

The Congress adjourned till to-morrow morning, eight o'clock.

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SATURDAY, MAY 11, 1776.

The Congress met according to adjournment.

*Resolved*, That the militia now to be drafted from the districts of Halifax, Edenton, Newbern, and Wilmington, shall not be obliged to serve longer than three months from the time of their inlistment.

*Resolved*, That Peter Dague be appointed Colonel, Drury Gee, Lieutenant Colonel, James Hogan, 1st Major, and George Wynn, 2d Major, to command that part of the militia to be drafted from the district of Edenton and Halifax; and that John Tillman be appointed 2d Major of the militia to be drafted from the districts of Newbern and Wilmington.

*Ordered*, That the Rev. John McLeod, who was brought to this Congress on suspicion of his having acted inimical to the rights of America, be discharged from his further attendance.

*Resolved*, That Mr. President, Mess. John Green and David Barron, and all other persons, deliver the stores in their possession belonging to this Province to the Deputy Commissary General of military and other Stores, taking his receipt for the same.

*Resolved*, That the Treasurers, or either of them, pay Nathaniel Rochester, Esq. Deputy Commissary, a sum, not exceeding 1000 l. to enable him to hire waggons, &c. to remove the stores, and that they be allowed the same in their accounts with the public.

*Ordered*, That Angus Campbell's parole to Cumberland be enlarged for one month before he goes to Granville.

*Resolved*, That Mr. Robert Rowan and Mr. Peter Mallett be directed to deliver the remaining part of the 3500 bushels of salt, contracted for at Cross creek by the different counties, to the different trustees appointed for that purpose.



*Resolved*, That each of the Treasurers, the Paymaster, and the Commissary of Stores, be furnished with a blank book, of those imported into Halifax by the late Governor Martin.

*Resolved*, That Mr. President, Mr. Caswell, Mr. Willie Jones, Mr. Alexander Telfair, and Mr. Archibald Hamilton, be appointed a committee to state the accounts of this Province with the United Colonies for the expenditures since the commencement of hostilities between Great Britain and the Colonies, and to transmit the same, certified under their hands, or the hands of a majority of them, to the Continental Congress.

*Resolved*, That Henry Giffard, Commissary of the militia to be stationed at Cross Creek, enter into bond, in the sum of 1000 l. for the faithful discharge of that office, and to account for all such monies that shall come to his hands; and that the Treasurers, or either of them, pay him 200 l. and be allowed in their accounts with the public.

Whereas it appears to this Congress that the conduct of Felix Kenan, Sheriff of Duplin county, hath been inimical to the liberties of America; and thereby rendered himself truly unworthy to execute any longer the trust and confidence reposed in him by his appointment as Sheriff; and whereas the said Felix hath received considerable sums of public money, and hath not accounted for the same, *Resolved*, That the said Felix Kenan be, and hereby is suspended from the office of Sheriff of the said county of Duplin. *Resolved further*, That the said Felix Kenan do within one month after the passing hereof, return an exact account, on oath, of all such public monies as he shall have collected from the inhabitants of the said county, and pay the same into the hands of the Public Treasurer of the Southern district of this Province.

Jesse Goodwin, a soldier in the service of this Colony, having been dangerously wounded, and rendered incapable for some time to come to get a subsistence by his labor, *Resolved*, That the Treasurers, or either of them, pay to the said Jesse Goodwin the sum of 28 l. and be allowed in their accounts with the public.

Read the petition of Mr. Joseph Jones, Joshua Campbell, James Ferebee, and William Burges, of Pasquotank county, praying relief, &c. *Resolved*, That Mr. Allen Jones, Mr. John Cowper, Mr. Thomas Burke, and Mr. Thomas Jones, be appointed a committee to consider, hear testimony, and make report of and concerning the facts set forth in the above petition.

*Resolved*, That Mr. John Bradford, Mr. Willis Alston, Mr. Benjamin McCulloch, and Mr. Green Hill be appointed commissioners for signing the bills of credit directed by this Congress to be emitted, in addition to those heretofore appointed: and that they be under the same rules and regulations for their conduct, and intitled to the same allowance, as the commissioners formerly appointed.

*Resolved*, That the Commissary of Stores deliver out to the commissioners of the armed vessels belonging to this Province, in the districts of Edenton, Newbern, and Wilmington, such stores as the said commissioners shall apply for, necessary for fitting the said vessels; and also six bolts of osnabrigs, and 36 pieces of checks or striped linen, for cloathing the seamen belonging to the said vessels.

*Resolved*, That the Commissary of Stores be impowered to purchase coarse linens, and other necessary cloathing for the army; and that he be



allowed and paid for the same, with all necessary expences, by the Treasurers, or either of them, when passed by the executive power of government.

Whereas it appears, by the report of the committee of Accounts, that there is at this time in the hands of Matthew Lock, Esq. the sum of 2986 l. 13 s. 9 d. halfpenny, belonging to the public; it is therefore *Resolved*, That the said Matthew Lock do pay unto such of the soldiers who enlisted with Col. Alexander Martin in the second regiment, and who actually served the full time of their enlistment, or at least six months thereof, and now discharged, the sum of 40 s. each as a bounty, the same never having been paid them; and that Mr. Lock also pay off all arrears to those soldiers, and who are now in the counties of Rowan, Surry, Guilford and Anson; and that the soldiers now in actual service with Col. Martin at Cape Fear, be paid their bounty money and arrears by the Paymaster General, and the balance remaining be paid by the said Matthew Lock to the militia officers and soldiers in Rowan county.

On motion, *Resolved*, The House resolve itself into a committee of the whole, to take into consideration a civil temporary Constitution.

The House resolved itself into a committee of the whole House accordingly, and chose John Campbell, Esq. Chairman; and after some time spent therein, came to sundry resolutions. Then, on motion, Mr. President resumed the Chair, and Mr. Chairman reported as follows, to wit:

*Resolved*, That this Congress choose by ballot one person, and each district two persons, who shall serve as a Council of Safety for this Colony from the end of this session until the meeting of the next Congress; and that no person holding any military office from which he receives or expects profit, nor any person holding a lucrative office under any military commanders in particular, or the army in general, shall be capable to act as a member of the said council, officers and commanders of the militia only excepted.

*Resolved*, That from the end of this present session, for and during the time aforesaid; the said Council of Safety, or a majority of them, shall be vested with full power and authority to do and execute all acts and things necessary for the defence and protection of the people of this Colony; provided that their power shall not extend to alter, suspend, or abrogate any resolution of this or any former Congress, or to emit any bills of credit, or levy any taxes on the people, or impose any duties or imposts on goods or merchandize to be imported or exported, or give orders to draw on the Continental Treasury, or to erect any office or offices, courts or jurisdictions, or to try, adjudge, or condemn, any person or persons, for any offence civil or criminal, except where expressly permitted by resolve of this Congress.

*Resolved*, That nothing herein contained shall be construed to extend to prevent the said Council of Safety from examining and committing any person or persons who may be accused on oath of practices inimical to America, or to restrain any person or persons from departing this Colony by Sea.

*Resolved*, That the said Council of Safety be impowered to direct the Treasurers of this Colony, on any urgent exigency, to draw on the Continental Treasury, on the account and credit of this Colony, for any sums not exceeding 30,000 l. in the whole.



*Resolved*, That the Council of Safety have full power and authority to establish Courts of Admiralty at the ports of Edenton, Bath, Newbern and Wilmington, and to appoint a Judge at each of the said ports, to sit, hear and determine all maritime matters cognizable in Courts of Admiralty, and to authorise and empower the Judges so to be appointed to nominate and appoint one Register and one Marshal at each of the said ports, and all other officers necessary for the purpose of carrying into execution the determinations and decrees of the said courts; and that all the proceedings, determinations and decrees of the said Courts of Admiralty shall be consonant and agreeable to the rules and regulations laid down by the Continental Congress; and that the Judges, and other officers of the said courts, shall take such fees only as are directed to be taken by the laws of this Province; and that each and every juryman attending the said courts, shall be intitled to the same allowances as directed by the last Jury law.

*Resolved*, That the Council of Safety have full power and authority to nominate and appoint commissioners at each of the ports of Currituck, Roanoke, Bath, Beaufort and Brunswick, for the purpose of taking bonds and granting certificates to masters of vessels about to depart the said ports, in order that the rules and regulations prescribed by the Continental and this Congress may be fully observed and carried into execution.

*Resolved*, That the Qualification and Test taken by the Congress shall also be taken by the members of the Council of Safety, before they be allowed to act.

*Resolved*, That the Provincial Council, and the Committees of Safety for each district, be, and they are hereby dissolved.

*Resolved*, That all matters heretofore had or taken cognizance of by the late Provincial Council, or the several late Committees of Safety of this Province, and undetermined, with all the proceedings thereon, shall be laid before, and taken cognizance of by the Council of Safety.

*Resolved*, That the Council of Safety shall sit from day to day, at such convenient place or places as they may think prudent and proper, for the transaction of business, and shall receive for each day's travelling and attendance the sum of 20 s. Proc. money, and be paid the necessary ferriages.

The House taking the same into consideration, concurred therewith.

Whereas a number of claims against this Province, for services done and performed against the Highlanders and Regulators, in consequence of their late insurrection, remain unsettled; *Resolved*, That the Council of Safety be empowered to adjust, settle, and allow the same, and all other matters relating to the expences of the army heretofore had or incurred.

The House proceeded to make choice of one, and the districts of twelve proper persons, to compose the Council of Safety of this Province, when the following were agreed upon, viz. Willie Jones, Esq. for the Congress. James Coor and John Simpson, Esqrs. for the district of Newbern. Thomas Jones and Whitmell Hill, Esqrs. for the district of Edenton. Thomas Eaton and Joseph John Williams, Esqrs. for the district of Halifax. Cornelius Harnett and Samuel Ashe, Esqrs. for the district of Wilmington. Thomas Person and John Rand, Esqrs. for the district of Hillsborough. Hezekiah Alexander and William Sharpe, Esqrs. for the district of Salisbury.

*Resolved*, That the said Council shall vote by districts.



The committee appointed to prepare and bring in a plan for the more conveniently paying the militia who have or may serve in this Colony, and for adjudging and paying all expences incident to the militia when in actual service, report that your committee are of opinion that one waggon master should be appointed by the field officers of every battalion, when entering on actual service, subject to be removed or rejected by the Brigadier General. That the Commissaries should every morning make a return to the waggon master of the provisions, which the waggon master having examined and compared, ought to return, signed and certified to the commanding officer. That the waggon master should attend, as his special duty, to the arrangement of the waggons, taking care that every morning no more begin the march than one for every ton weight of provisions, except where there may be half a ton or upwards over and above what will make a ton for every waggon but one, in which case the one waggon should be kept in service until so much is consumed as to reduce it below half a ton; and in all cases where the quantity over a ton for each waggon is less than half a ton, the overplus ought to be distributed into the other waggons as equally as may be. That every morning all the empty waggons be discharged, each waggon having first obtained a certificate from the waggon master, setting forth the number of days it had been in service, and the place where discharged, and the distance to return. That for every twenty miles of such return distance, each waggon be allowed 20 s. for every day's pay. That every waggon master be allowed the pay and rations of a Major.

Your committee are further of opinion, that one Paymaster should be appointed for every militia brigade, and allowed a commission of two and a half per cent. on all monies he shall pay away. That once in every month (or at the end of an expedition, if the same shall not continue a month) the commanding officer of each battalion shall cause to be made out a pay roll of his battalion, setting forth the number of days each officer and soldier has been in actual service under his command, each company to be in a separate list, and proved by the oath of the Captain, or next commanding officer; which pay roll the said commanding officer shall cause to be delivered to the Paymaster of his brigade, signed by such commanding officer; and the Paymaster shall pay to the Captain of every company the pay which shall appear due to such company by the pay roll, and every officer the pay which shall appear due to him. And every waggoner should be entitled to receive from such Paymaster all the pay which shall appear due to him by the Waggon Master's certificate.

The House taking the same into consideration, concurred therewith.

The Congress adjourned till Monday morning, ten o'clock.

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MONDAY, MAY 13, 1776.

The Congress met according to adjournment.

*Resolved*, That when any person shall be suspected of a design to remove himself or his property out of this Colony, and affidavit shall be made before any member of the county committee where the person suspected shall reside, the said member of committee shall issue a warrant to some officer, who shall be indifferent in point of interest, to bring the said suspected person before the committee of the county at the next meeting; and such officer is hereby impowered and required to take security, in such sum as



the committee man shall direct, by endorsement on the back of his warrant, to appear before the said committee at the next succeeding meeting; and in case such suspected person shall not give such security, the officer shall commit him. And when such suspected person shall appear, or be brought before the committee, they shall examine into the proofs and allegations; and if it shall appear to them that such suspicion is well founded, they shall order that he give security to answer whatever claim or claims may be made appear against him, or stand further committed. And where any person shall have actually absconded out of this Colony, or so conceals himself, or makes resistance, that he cannot be brought before the committee, and the same shall be made appear by affidavit to the satisfaction of one or more committee men, such committee man shall issue a warrant to some sufficient person, not being interested, to take possession of all, or so much of the effects of such absconding person, as shall be sufficient to satisfy the demands of any creditor or creditors who shall apply and make oath of such demands; provided that the said effects shall not be subject to be sold, or otherwise disposed of, until judgment shall be obtained in some court of justice hereafter to be established.

*In committee of Secrecy, War and Correspondence.*

*Resolved,* That it be recommended to the Congress to allow Mrs. Ealbeck the sum of 5 l. for the use of a room, candles, fire, &c. for this committee.

The House concurred therewith.

*Resolved,* That the following persons be discharged from their further attendance on Congress, to wit: Hugh McDonald, John McDonald, Daniel Cameron, James McDonald and Daniel McLean.

Whereas it has been thought necessary to fit out three armed vessels, for the protection of the trade of this Province, *Resolved,* That the following sums be paid the officers and seamen employed on board the said vessels by the month, to wit: Captain 10 l. wages, and 4 l. for table, Lieutenant 8 l. Master 8 l. Mate 5 l. 15 s. Doctor 8 l. Boatswain 5 l. Gunner 5 l. Carpenter 5 l. Clerk 5 l. Armourer 4 l. 10 s. Cooper 4 l. 10 l. Captain of Marines 8 l. Marines 2 l. 13 s. 4 d. Seamen compleat 4 l. Seamen not compleat 3 l. That all other officers on board vessels of equal force and burthen, the same regulations and pay as by Continental establishment.

*Resolved,* That the following persons be appointed Paymasters to the militia, viz. Mr. William Green for the district of Halifax, Mr. Matthew Lock for the district of Salisbury, Mr. James Council for the district of Wilmington, Mr. Thomas Burke for the district of Hillsborough, Mr. William Blount for the district of Newbern, and Mr. Day Ridley for the district of Edenton.

*Resolved,* That the Paymasters of the militia of this Colony give bond with security, each in the sum of 10,000 l. for the faithful application of money intrusted to them.

*Resolved,* That every householder in the county of Surry shall have a right to sit and vote in committees for said county, they being elected by persons having a right to vote, agreeable to a resolve of the last Congress at Hillsborough.

*Resolved,* That Thomas Mander be discharged from his parole.

*Resolved,* That Thomas Eaton, Esq. be appointed Colonel of the militia for the county of Bute, in the room of Philemon Hawkins, jun. resigned.



*Resolved*, That Croondates Davis, Clerk of the committee of Safety for the district of Halifax, be allowed 10 l. for his services.

*Resolved*, That Memucan Hunt, Clerk of the committee of Safety for the district of Hillsborough, be allowed 10 l. for his services.

*Resolved*, That William Bourke be discharged from his parole to Northampton, and that he be enlarged.

*Resolved*, That any person, inhabitant of this Colony, who shall hereafter take arms against America within the said Colony, or shall give intelligence or aid to the open enemies thereof, and shall be convicted of the facts by vote of Congress, or by any judicial power hereafter to be appointed, shall forfeit all his goods and chattels, lands and tenements, to the people of the said Colony, to be disposed of by the Congress, or other general representation thereof; and moreover be considered (when taken) as a prisoner of war, unless the sentence shall be mitigated or pardoned by the Congress, or other general representation.

Mr. Battle and Mr. Nash have leave of absence.

Whereas it hath been represented to this Congress that a division of the committee of Observation of Pasquotank county will give ease and facility to the dispatch of public business within their department, as a wide river runs through said county, near the middle thereof; *Resolved*, That the said county, for this particular purpose, be, and it is hereby divided into two distinct and separate districts, North and South, by the middle of the river; and that a committee, to consist of 13 persons in each district, a majority of whom shall be a quorum, shall be elected on the third Monday in June next, at such places in each district as the present committee shall appoint, public notice of which, by advertisements, the Clerk is hereby directed to give 20 days at least previous thereto, at not less than two of the most public places in each district; and these elections shall be conducted, and these committees so to be elected, regulated and governed, by the same rules and restrictions now in force, made and entered into for the purpose of instituting county committees by the last Congress at Hillsborough, and also for amending the same by this present Congress.

*Resolved*, That the committee of Pasquotank county, after the third Monday of June next, be, and is hereby dissolved; and that all matters and things therein pendant, at that time undetermined, shall be transferred to, and determined by the committee of the district where such matter originated, with all the papers thereunto appertaining.

*Resolved*, That the committees of both districts be at large to meet at any time or place where they themselves shall think proper, provided that the time and place of the first meeting of each of those committees be fixed by the present committee before their dissolution. Provided also, that the committees of each district may meet at the court house on the days appointed for the first day of each court, to act in conjunction, and be consolidated.

*Resolved*, That Alexander McCortle be allowed 19 l. 10 s. for a waggon, team and driver on the late expedition to Cross Creek against the Tories; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

The committee appointed to settle the rations, and the price to be allowed the Commissaries for victualling the army, are of opinion that the Commissaries furnish the troops the same rations and allowance as directed by



the Continental Congress, or money to the value, in case any part of said allowance cannot be supplied; for which the Commissaries shall receive 10 d. per ration, they paying all necessary carriage while their respective regiments remain in this Province.

The House taking the same into consideration, concurred therewith.

*Resolved*, That the Treasurers, or each of them, supply each of the Commissaries appointed by this Congress to the Continental troops, stationed in this Province, the sum of 2000 l. they first giving bond and security, each in the sum of 10,000 l.

*Resolved*, That the Treasurers, or either of them, supply each of the Commissaries appointed by this Congress to the independent companies stationed on the Sea coast, the sum of 250 l. for each company supplied by them, they first giving bond and security, each in the sum of 3000 l.

*Resolved*, That James Hepburn be permitted his parole to Charlotte town, in Mecklenburg county, with permission to go any where within two miles distance from the said town; and that he have safe conduct for himself to go from Halifax to the said town within two weeks from this time, and for his family and effects from Cross Creek to the said town of Charlotte within three months from this time.

*Resolved*, That if any person or persons shall conceive himself or themselves aggrieved by any resolve, order, or determination, of the Council of Safety, that in that case an appeal shall and may be had to the next Congress.

*Resolved*, That the commissioners appointed to purchase horses in the district of Hillsborough, be, and are hereby impowered to draw upon the Treasurers, or either of them, for a sum not exceeding 1300 l. and that each of the commissioners for the said district give bond, with good and sufficient security, in the sum of 1000 l.

*Resolved*, That the commissioners appointed to purchase horses in the district of Salisbury, be, and they are hereby impowered to draw upon the Treasurers, or either of them, for a sum not exceeding 2500 l. and that each of the commissioners for the said district give bond, with good and sufficient security, in the sum of 1500 l.

*Resolved*, That if any person or persons shall conceive himself or themselves aggrieved by any resolve, order, or determination, of any county or town committee, that in that case an appeal shall and may be had to the Council of Safety, and their determination shall be final, first giving bond and security to prosecute such appeal with effect.

*Resolved*, That the Commissaries for the militia now under marching orders, be impowered to receive from the Commissary of Stores a sufficient quantity of the provisions heretofore purchased on account of the public to victual the said militia, and that such Commissaries be charged the price the same cost; and also that the Treasurers be impowered to advance to each of the said Commissaries the sum of 200 l. on giving bond with security as heretofore directed.

*Resolved*, That Mr. Charles Jacocks be appointed Commissary of the militia for the district of Edenton when on actual march.

The Congress adjourned till to-morrow morning, eight o'clock.



TUESDAY, MAY 14, 1776.

The Congress met according to adjournment.

*Resolved*, That the Quarter Master General, Nicholas Long, Esq. be directed to furnish the troops now marching to the assistance of this Province from Virginia, with all barracks, waggons, provisions, and such articles as may be necessary for them on their march from this place to Cape Fear; and that on the arrival of the troops there, Col. William Kennon act as Commissary to them, in case they have no Commissary of their own.

*Resolved*, That Col. Nicholas Long be allowed 72 l. 3 s. 7 d. for sundry persons standing on guard, rations, liquors, &c. as per account; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That Alexander Long be allowed 5 l. for going express to Salisbury; that the Treasurers, or either of them, pay the same, and be allowed in their accounts with the public.

*Resolved*, That the Treasurers be, and are hereby ordered to pay to each of the Paymasters of the militia brigades one month's pay, to be ascertained by producing to the Treasurer who shall pay the money a roll, containing the names of all the officers and soldiers who shall begin their march on actual service, signed by the commanding officer of the respective battalions to which the said men and officers belong, and a list of all the waggons which shall be actually employed to attend the march, certified by the Waggon Master, and countersigned by the commanding officers of the battalions respectively; which rolls so signed and certified, together with the order or receipt of the Paymaster, shall be vouchers for the Treasurer, who shall produce the same upon the settlement of his account with the public. And whereas detachments have been ordered from each of the brigades of militia in this Colony by the Congress, and it will be necessary that the Treasurers pay to such Paymaster a sum of money necessary for one month's pay of the said detachments, and of the waggons which may be requisite; *Resolved*, That the Treasurers pay to the said Paymasters one month's pay for such detachments as have been ordered from each respective brigade, and one month's pay of waggons, at the rate of one waggon for every 50 men in such detachments; provided, that no commanding officer or Waggon Master of any battalion shall give more than one such roll or certificate to any Paymaster within any one month during the same expedition, under the penalty of 10,000 l.

*Resolved*, That George Davidson be allowed 39 l. for waggon hire from Rowan to Cross Creek, in the expedition against the Highlanders; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That William Knox be allowed 32 l. 5 s. for waggon hire from Rowan to Cross Creek, in the expedition against the Highlanders; that the Treasurers, or either of them, pay him the same, and be allowed in their accounts with the public.

*Resolved*, That the Commissaries of the Continental army have power to take such provisions as they may think necessary for the service from the public stores, and that they account for it at the price which the commissioners charged, and that the same shall be considered as so much money paid on account of the sum voted to be advanced to them.

*Resolved*, That the stray books in the hands of Joseph Hughes (the pre-



sent stray master) in Rowan, be immediately taken from him, and put in the hands of John Graham, who is hereby appointed to that office, and that he be allowed the same fees as allowed by acts of Assembly in that case.

*Resolved,* That Alexander McAlister be appointed stray master for the county of Cumberland, Nathaniel Richardson for the county of Bladen, and John Dent for the county of Guilford, and that they take possession of the books and papers belonging to the said offices.

*Resolved,* That in case of the death, removal, resignation or disqualification of any member of the Council of Safety, the remaining members shall fill up the vacancy, by electing one from the said district.

*Resolved,* That the money allowed for discharging the claims of the militia of the county of Orange, be paid into the hands of Nathaniel Rochester, Esq. to be by him paid to the officers in whose name the same was allowed, on the said officers giving to him the pay roll by which the same was allowed, or a copy thereof; which pay roll shall be filed by the Secretary of this Congress.

*Resolved,* That the Commissary of Stores charge 15 per cent. on all the stores which he shall furnish to any officer or soldier on his private account, for the benefit of the public, to be applied towards defraying incidental charges; and that the said Commissary furnish the Paymaster with an account of all such stores so furnished every month, to be deducted from the pay of the officer or soldier to whom the same shall have been furnished.

*Resolved,* That the ensuing Congress shall be held at the town of Halifax on the 10th day of November next, unless sooner ordered and directed by the Council of Safety.

*Resolved,* That the Council of Safety have power to compel all Sheriffs and other collectors of taxes and duties to account for all sums of money for which they may be accountable, and to pay the balances which shall appear due into the hands of the Treasurers.

*Resolved,* That Mr. James Coor and Mr. James Green, jun. be appointed to revise and correct for the press the Journal of the proceedings of this Congress.

*Resolved,* That the Secretary, as soon as the Congress rises, furnish a fair copy of the Journal, and deliver the same to Mr. James Davis, who is desired to print and send five copies to each county, to the delegates thereof, and one copy to each county and town committee.

The committee appointed to take under consideration the petition of Joseph Jones and Co. reported as follows: Your committee having fully enquired into the facts set forth in the petition, are of opinion that the same are just and true; but as there appears a probability that some things may yet be saved, your committee are of opinion that the nett loss cannot be ascertained until the amount of such saved articles (salvage deducted) can be extracted from the gross loss; and when the same can be done, and satisfactory proof thereof made, your committee think the said Mess. Joseph Jones and Co. should be considered as persons injured by the said John Goodrich, to the amount of such nett loss. The estimate and bill of lading are annexed, which are all submitted to the Congress.

The House taking the same into consideration, concurred therewith.

*Resolved,* That an election be held in the county of Edgecomb, first giving the usual notice in such cases, for electing a member in said county to



sit and vote in Congress, in the room of Henry Irwin, who is disqualified by holding a commission in the military service; that the same be conducted under the same rules and regulations as elections heretofore taken, and the said election may be held any time between the 10th day of June and the 10th day of October, 1776.

*Resolved*, That the thanks of this House be given to the Hon. Samuel Johnston, Esq. for his able, faithful and assiduous discharge of the high and important duty of President of this Congress; having in that, as in all other stations, approved himself the firm and liberal patron of liberty, and a wise and zealous friend and assertor of the rights of mankind.

*Ordered*, That the foregoing orders and resolutions be signed and certified as the acts of the Congress, by

SAMUEL JOHNSTON, President.

JAMES GREEN, JUN. Sec'y.











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